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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Durban, 31 August-7 September 2001
Item 9 of the provisional agenda

CONFERENCE THEMES

Draft programme of action

Note by the Secretary-General

This draft programme of action contains three types of paragraphs: (i) paragraphs adopted at the second and third sessions of the Preparatory Committee, held respectively from 21 May to 1 June 2001 and from 30 July to 10 August 2001; (ii) paragraphs marked "ongoing" that were discussed either at the second or third sessions of the Preparatory Committee, but not adopted; and (iii) paragraphs that represent proposals made by one or more States during the first and second inter-sessional open-ended working groups, held respectively from 6 to 9 March 2001 and from 7 to 11 May 2001, and issued in document A/CONF.189/PC.2/27, which were subsequently reformulated by the Group of 21, without amendment of the substance of the proposals, and issued in document A/CONF.189/PC.3/8. The paragraphs in category (iii) were not considered by the Preparatory Committee at any of its sessions.

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I. SOURCES, CAUSES, FORMS AND CONTEMPORARY MANIFESTATIONS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Recognizing the urgent need to translate the objectives of the Declaration into a practical and workable Programme of Action, we therefore recommend to the World Conference: (ONGOING 3rd PrepCom)[1]

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance:

1. Urges States in their national efforts, and in cooperation with other States, regional and international organizations and financial institutions, to promote the use of public and private investment in consultation with the affected communities in order to eradicate poverty, particularly in those areas in which [list or generic description to replace: peoples and communities who are victims of racism, racial discrimination and exclusion indigenous peoples, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities] predominantly live; (ADOPTED at 2nd PrepCom)

[2. [Recognizes that slavery, the slave trade, colonialism and apartheid are major historical sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and peoples of African descent, peoples of Asian descent and indigenous peoples have been and continue to be victims of their consequences, and urges States and the international community to adopt appropriate remedial measures in order to halt and reverse the consequent marginalization, poverty, underdevelopment and socio-economic exclusion still affecting many such peoples in many parts of the world, in particular in developing countries;] (ONGOING 3rd PrepCom)

[3. [Recognizes that foreign occupation, especially when grave breaches of the Fourth Geneva Convention of 1949 are committed, is among the forms and sources of racial and discriminatory practices, and urges the international community to take effective measures to protect peoples under foreign occupation from such practices;] (ONGOING 3rd PrepCom)

4. Urges States that participate in or permit contemporary forms of slavery-like practices to take all necessary and appropriate measures to end them and to initiate constructive dialogue and implement measures with a view to correcting the problem and the damage resulting from them; (ONGOING 3rd PrepCom)

II. VICTIMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Victims: General

5. Urges States to take special measures to protect, in particular, persons and groups vulnerable to, affected by, or victims of racism, racial discrimination, xenophobia and related intolerance who are also subject to other/multiple forms of discrimination [on account of their gender, age, national origin, sexual orientation, social or economic status, physical or mental disability, state of health, religious belief or any other condition liable to give rise to discrimination or economic status, physical or mental disability, state of health, religious belief or any other condition liable to give rise to discrimination]; (ONGOING 3rd PrepCom)

6. Urges States to give special attention to the elaboration of strategies, policies and programmes for persons and groups subject to multiple discrimination whereby racism and racial discrimination, xenophobia and related intolerance are aggravated by other forms of discrimination; (ONGOING 3rd PrepCom)

7. Calls upon Governments and States to ensure that its commitment to addressing past, present and future manifestations of racism, racial discrimination, xenophobia and related intolerance against vulnerable groups includes, but is not limited to those who experience racism, racial discrimination, xenophobia and related intolerance because of race, lineage, colour, religion, culture, language or national or ethnic origin, aggravated by reasons of age, gender, sexual orientation, disability or socio-economic status, and allows for the inclusion of new groups who can become victims of racism, racial discrimination, xenophobia and related intolerance; (ONGOING 3rd PrepCom)

8. Urges States to work nationally and in cooperation with other States and relevant regional and international organizations and programmes to strengthen national mechanisms to promote and protect the human rights of [persons affected by, vulnerable to, or] victims of racism, racial discrimination, xenophobia and related intolerance who are infected, or presumably infected, with pandemic diseases such as HIV/AIDS and to take concrete measures, including preventive action, appropriate access to medication and treatment, programmes of education, training and mass media dissemination to eliminate violence, stigmatization, discrimination, unemployment and other negative consequences arising from these pandemics; (ADOPTED at 2nd PrepCom)

[9. Calls upon States, as an integral part of opposing all forms of racism, to recognize the need to counter anti-Semitism worldwide; it urges all States to take effective measures to prevent the emergence of movements based on racism and discriminatory ideas concerning the Jewish community;][2] (ONGOING 3rd PrepCom)

Africans and people of African descent

10. Urges States to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries, and to promote a greater knowledge of and respect for their heritage and culture; (ADOPTED at 2nd PrepCom)

11. Requests States, supported by international cooperation as appropriate, to consider positively concentrating additional investments in health-care systems, education, public health, electricity, drinking water and environmental control, as well as other affirmative or positive action initiatives in communities of primarily African descent; (ADOPTED at 3rd PrepCom)

12. Calls upon the United Nations, financial institutions and other appropriate international mechanisms to develop programmes intended for people of African descent in the Americas and around the world; (ONGOING 2nd PrepCom)

13. Requests the Commission on Human Rights to consider establishing a working group or other mechanism of the United Nations to study the problems of racial discrimination faced by people of African descent living in the African diaspora and make proposals for the elimination of racial discrimination against people of African descent; (ADOPTED at 2nd PrepCom)

14. Urges financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies, to:

(a) Assign particular priority, and allocate sufficient funding, within their areas of competence and budgets, to improving the situation of Africans and people of African descent, while devoting special attention to the needs of these populations in developing countries, inter alia through the preparation of specific programmes of action;

(b) Carry out special projects, through appropriate channels and in collaboration with Africans and people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;

(c) Develop programmes intended for people of African descent allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive action initiatives; (ADOPTED at 3rd PrepCom)

15. Requests States to increase public actions and policies in favour of women and young males of African descent, given that racism affects them more deeply, placing them in a more marginalized and disadvantaged situation; (ADOPTED at 3rd PrepCom)

16. Urges States to ensure access to education and promote access to new technologies that would offer Africans and people of African descent, in particular women and children, adequate resources for education, technological development and long-distance learning in local communities, and further urges States to promote the full and accurate inclusion of the history and contribution of Africans and people of African descent in the education curriculum; (ADOPTED at 3rd PrepCom)

17. Encourages States to identify factors which prevent equal access to, and the equitable presence of, people of African descent at all levels of the public sector, including the public service, and in particular the administration of justice, and to take appropriate measures to remove the obstacles identified and also to encourage the private sector to promote equal access to, and the equitable presence of, people of African descent at all levels within their organizations; (ADOPTED at 3rd PrepCom)

18. Calls upon States to take specific steps to ensure full and effective access to the administration of justice for all citizens, particularly those of African descent; (ONGOING 3rd PrepCom)

19. Urges States, in accordance with international human rights standards and their respective domestic legal framework, to resolve problems of ownership of ancestral lands inhabited for generations by people of African descent and to promote the productive utilization of land and the comprehensive development of these communities, respecting their culture and their specific forms of decision-making; (ADOPTED at 3rd PrepCom)

Indigenous peoples

20. Urges States:

(a) To adopt or continue to apply, in concert with them, constitutional, administrative, legislative, judicial and all necessary measures to promote, protect and ensure the enjoyment [by indigenous peoples] of their rights, as well as to guarantee them the exercise of

their human rights and fundamental freedoms on the basis of equality, non-discrimination and full and free participation in all areas of society, in particular in matters affecting or concerning their interests; (ADOPTED at 3rd PrepCom)

(b) To promote better knowledge of and respect for indigenous cultures and heritage; and welcomes measures already taken by States in these respects; (ADOPTED at 3rd PrepCom)

21. Urges States to work with indigenous peoples to stimulate their access to economic activities and increase their level of employment, where appropriate, through the establishment, acquisition or expansion by indigenous peoples of enterprises, and the implementation of measures such as training, the provision of technical assistance and credit facilities; (ADOPTED at 3rd PrepCom)

22. Urges States to work with indigenous peoples to establish and implement programmes that provide access to training and services that could benefit the development of their communities; (ADOPTED at 3rd PrepCom)

23. Requests States to adopt public policies and give impetus to programmes on behalf of and in concert with indigenous women and girls, with a view to promoting their civil, political, economic, social and cultural rights; to putting an end to their situation of disadvantage for reasons of gender and ethnicity; to dealing with urgent problems affecting them in regard to education, their physical and mental health, economic life and in the matter of violence against them, including domestic violence; and to eliminating the situation of aggravated discrimination suffered by indigenous women and girls on multiple grounds of racism and gender discrimination; (ADOPTED at 3rd PrepCom)

24. Recommends that States examine, in conformity with relevant international human rights instruments, norms and standards, their Constitutions, laws, legal systems and policies in order to identify and eradicate racism, racial discrimination, xenophobia and related intolerance towards indigenous peoples and individuals, whether implicit, explicit or inherent; (ADOPTED at 3rd PrepCom)

25. Calls upon concerned States to honour and respect their treaties and agreements with indigenous peoples and to accord them due recognition and observance; (ADOPTED at 3rd PrepCom)

26. Calls upon States to give full and appropriate consideration to the recommendations produced by indigenous peoples in their own forums on the World Conference; (ADOPTED at 3rd PrepCom)

27. Requests States:

(a) To develop and, where they already exist, support institutional mechanisms to promote the accomplishment of the objectives and measures relating to indigenous peoples agreed in this Plan of Action;

(b) To promote in concert with indigenous organizations, local authorities and non-governmental organizations, actions aimed at overcoming racism, racial discrimination, xenophobia and related intolerance against indigenous peoples and to make regular assessments of the progress achieved in this regard;

(c) To promote understanding among society at large of the importance of special measures to overcome disadvantages faced by indigenous peoples;

(d) To consult indigenous representatives in the process of decision-making concerning policies and measures that directly affect them; (ADOPTED at 3rd PrepCom)

28. Calls upon States to recognize the particular challenges faced by indigenous peoples and individuals living in urban environments and urges States to implement effective strategies to combat the racism, racial discrimination, xenophobia and related intolerance they encounter, paying particular attention to opportunities for their continued practice of their traditional, cultural, linguistic and spiritual ways of life; (ADOPTED at 3rd PrepCom)

Migrants

29. Requests all States to combat manifestations of a generalized rejection of migrants and actively to discourage all racist demonstrations and acts that generate xenophobic behaviour and negative sentiments towards, or rejection of, migrants; (ADOPTED at 3rd PrepCom)

30. Invites international and national non-governmental organizations to include monitoring and protection of the human rights of migrants in their programmes and activities and to sensitize Governments and increase public awareness in all States about the need to prevent racist acts and manifestations of discrimination, xenophobia and related intolerance against migrants; (ADOPTED at 3rd PrepCom)

31. Requests States to promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights and their obligations under international human rights instruments, regardless of the migrants' immigration status; (ADOPTED at 3rd PrepCom)

32. Encourages States to promote education on the human rights of migrants and to engage in information campaigns to ensure that the public receives accurate information regarding migrants and migration issues, including the positive contribution of migrants to the host society and the vulnerability of migrants, particularly those who are in an irregular situation; (ADOPTED at 3rd PrepCom)

33. [Calls upon States to facilitate family reunification, which has a positive effect on integration, with due regard to the need for family members to have an independent status;] (ONGOING 3rd PrepCom)

34. Urges States to take concrete measures that would eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace, including against migrants, [including migrant workers,] and ensure the full equality of all before the law, including labour law, and further urges States to eliminate barriers, where appropriate, to: participating in vocational training, collective bargaining, employment, contracts and trade union activity; accessing judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and working in safe and healthy conditions; (ADOPTED at 3rd PrepCom)

35. Urges States:

(a) To develop and implement policies and action plans, and to reinforce and implement preventive measures, in order to foster greater harmony and tolerance between migrants and host societies, with the aim of eliminating manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups and directed towards [migrant workers and their families]; (ADOPTED at 3rd PrepCom)

(b) To review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with States' obligations under international human rights instruments; (ADOPTED at 3rd PrepCom)

(c) To implement specific measures involving the host community and migrants in order to encourage respect for cultural diversity, to promote the fair treatment of migrants and to develop programmes, where appropriate, that facilitate their integration into social, cultural, political and economic life; (ADOPTED at 3rd PrepCom)

(d) To ensure that migrants, regardless of their immigration status, detained by public authorities, are treated with humanity and in a fair manner, and receive effective legal protection and, where appropriate, the assistance of a competent interpreter in accordance with the relevant norms of international law and human rights standards, particularly during interrogation; (ADOPTED at 3rd PrepCom)

(e) To ensure that the police and immigration authorities treat migrants in a dignified and non-discriminatory manner, in accordance with international standards, through, inter alia, organizing specialized training courses for administrators, police officers, immigration officials and other interested groups; (ADOPTED at 3rd PrepCom)

(f) To consider the question of, with a view to promoting, the recognition of the educational, professional and technical credentials of migrants, with a view to maximizing their contribution to their new States of residence; (ADOPTED at 3rd PrepCom)

(g) To take all possible measures to promote the full enjoyment by [migrants, including migrant workers], of all human rights, including those related to fair wages and equal remuneration, [pensions,] social security, access to education, health care, social services and respect for their cultural identity; (ACCEPTABLE, BUT ONGOING 3rd PrepCom)

(h) To consider adopting and implementing immigration policies and programmes that would enable immigrants, in particular women and children who are victims of spousal or domestic violence, to free themselves from abusive relationships; (ADOPTED at 3rd PrepCom)

36. Urges States, in the light of the increased proportion of women migrants, to place special focus on gender issues, including gender discrimination, particularly when the multiple barriers faced by migrant women intersect; detailed research should be undertaken not only in respect of human rights violations perpetrated against women migrants, but also on the contribution they make to the economies of their countries of origin and destination/host countries, and the findings should be included in reports to treaty bodies; (ADOPTED at 3rd PrepCom)

37. Urges States to recognize the same economic opportunities and responsibilities to documented long-term migrants as to other members of society;[3] (ADOPTED at 3rd PrepCom)

Refugees

38. Urges States to comply with their obligations under international human rights, refugee and humanitarian law relating to refugees, asylum-seekers and displaced persons, and urges the international community to provide them with protection and assistance in an equitable manner

and with due regard to their needs in different parts of the world, in keeping with principles of international solidarity, burden sharing and international cooperation to share responsibilities; (ADOPTED at 3rd PrepCom)

39. Urges States to recognize the various barriers that refugees ~~and immigrants~~ face as they endeavour to participate in the economic, social, political and cultural life of their countries, and encourages States to develop strategies to facilitate, inter alia, the long-term integration of these persons into their new countries of residence and the full enjoyment by them of their human rights, in consultation with the Office of the United Nations High Commissioner for Refugees and other organizations, as appropriate; (ONGOING 3rd PrepCom)

40. Urges States to take effective steps to protect refugee and internally displaced women and girls from violence, to investigate any such violations and to bring those responsible to justice, in collaboration, when appropriate, with the relevant and competent organizations; (ADOPTED at 3rd PrepCom)

41. [Urges Israel to revise its legislation based on racial or religious discrimination such as the law of return and all the policies of the occupying Power which prevent the Palestinian refugees and displaced persons from returning to their homes and properties, in violation of their right to return];

Other victims

42. Urges States to take all possible measures to ensure that all persons, without any discrimination, are registered and have access to the necessary documentation reflecting their legal identity to enable them to benefit from available legal procedures, remedies and development opportunities, as well as to reduce the incidence of trafficking; (ADOPTED at 3rd PrepCom)

43. Recognizes that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance. States shall ensure that all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress; (ADOPTED at 3rd PrepCom)

44. Calls upon States to ensure that Roma/Gypsy/Sinti/Traveller children and youth, especially girls, are given equal access to education and that educational curricula at all levels, including complementary programmes on intercultural education, which might, inter alia,

include opportunities for them to learn the official languages in the pre-school period and to recruit Roma teachers and classroom assistants in order for such children and youth to learn in their mother-tongue, are sensitive and responsive to their needs; (ADOPTED at 3rd PrepCom)

45. Encourages States, to adopt appropriate and concrete policies and measures, to develop implementation mechanisms, where these do not already exist, and to exchange experiences, in cooperation with representatives of the Roma/Gypsies/Sinti/Travellers, in order to eradicate discrimination against them, enable them to achieve equality and ensure their full enjoyment of all their human rights, as recommended in the case of the Roma by the Committee on the Elimination of Racial Discrimination in its General Recommendation XXVII, so that their needs are met; (ADOPTED at 3rd PrepCom)

46. Recommends that the intergovernmental organizations address, as appropriate, in their projects of cooperation with and assistance to various States, the situation of the Roma/Gypsies/Sinti/Travellers and promote their economic, social and cultural advancement; (ADOPTED at 3rd PrepCom)

47. Calls upon States and encourages non-governmental organizations to raise awareness about the racism, racial discrimination, xenophobia and related intolerance experienced by the Roma/Gypsies/Sinti/Travellers, and to promote knowledge and respect for their culture and history; (ADOPTED at 3rd PrepCom)

48. Encourages the media to promote equal access to and participation in the media for the Roma/Gypsies/Sinti/Travellers, as well as to protect them from racist, stereotypical and discriminatory media reporting, and calls upon States to facilitate the media's efforts in this regard; (ADOPTED at 3rd PrepCom)

49. Urges States to ensure that persons belonging to [racial] national or ethnic, religious and linguistic minorities can exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, and also urges States and the international community to promote and protect the rights of such persons [within the framework of the purposes and principles of the Charter of the United Nations]./[Persons belonging to such minorities shall exercise their rights within the framework of the principles of the United Nations, including sovereign equality, territorial integrity and political independence of States in which they live.]; (ADOPTED at 3rd PrepCom)

50. States should guarantee the rights of persons belonging to national or ethnic, religious and linguistic minorities, individually or in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference, and to participate effectively in the cultural, social, economic and political life of the country in which they live in order to protect them from any form of racism, racial discrimination, xenophobia and related intolerance that they are or may be subjected to; (ADOPTED at 3rd PrepCom)

51. Urges States to take, where applicable, appropriate measures to prevent racial discrimination against persons belonging to [racial], [national, ethnic, religious and linguistic minorities] in respect of employment, housing and education in order to protect them from any form of racism, racial discrimination, xenophobia and related intolerance that they are or may be subjected to; (ONGOING 3rd PrepCom)

52. Urges States to incorporate a gender perspective in all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on [generic description] indigenous women, African women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities; (ADOPTED at 2nd PrepCom)

53. Urges States to involve women, especially women victims of racism, racial discrimination, xenophobia and related intolerance, in decision-making at all levels when working towards the eradication of such discrimination, and to develop concrete measures to incorporate race/gender analysis in the implementation of all aspects of the Programme of Action and national plans of action, particularly in the fields of employment programmes and services and resource allocation; (ADOPTED at 2nd PrepCom)

54. Recognizing that poverty shapes economic and social status and establishes obstacles to the effective political participation of women and men in different ways and to different extents, urges States to undertake gender analyses on all economic and social policies and programmes, especially poverty eradication measures, including those designed and implemented to benefit those individuals or groups [who are, or may be, victims of/subject to] racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 3rd PrepCom)

55. Urges States and encourages all sectors of society to empower women and girls [who are or may be subject to/victims of] racism, racial discrimination, xenophobia and related intolerance, so that they can fully exercise their rights in all spheres of public and private life, and to ensure the full, equal and effective participation of women in decision-making at all levels, in particular in the design, implementation and evaluation of policies and measures which affect their lives; (ADOPTED at 3rd PrepCom)

56. Urges States:

(a) To fulfil their obligations under ~~fully respect~~ international human rights law and international humanitarian law applicable to the rights and protection of women and girls; (ACCEPTABLE BUT ONGOING 3rd PrepCom)

(b) To recognize that sexual violence committed by or with the acquiescence of the State in the context of armed conflict has been used as a tool of systematic forms of discrimination, abuse and genocide and, when used against non-combatant populations [can]/constitute[s] a serious violation of international humanitarian law and a gross violation of human rights, and that the intersection of discrimination on the basis of gender ~~race and gender~~ and racism, racial discrimination, xenophobia and related intolerance makes women and girls particularly vulnerable to this type of violence;[4] (ONGOING 3rd PrepCom)

(c) To end impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including crimes related to sexual and other gender-based/types of violence to which women are particularly vulnerable in situations of armed conflict/~~against women and girls~~, as well as to ensure that persons in authority who commit, order, solicit or induce the commission, aid, abet or assist in the commission ~~tolerate, aid, abet~~ and consent to the use of sexual and gender-based/other types of violence/types of violence to which women are particularly vulnerable in situations of armed conflict are identified, investigated, prosecuted and punished; (ONGOING 3rd PrepCom)

(d) To take special measures to protect women and girls from gender-based violence, particularly rape and all other forms of sexual violence, during armed conflict; (ONGOING 3rd PrepCom)

57. Requests States, in collaboration where necessary with international organizations, having the best interests of the child as a primary consideration, to provide protection against racism, racial discrimination, xenophobia and related intolerance against children, especially

those in circumstances of particular vulnerability, and to pay special attention to the situation of such children when designing relevant policies, strategies and programmes; (ADOPTED at 3rd PrepCom)

58. Urges States, in accordance with their national law and their obligations under the relevant international instruments, to take all measures to the maximum extent of their available resources to guarantee, without any discrimination, the equal right of all children to the immediate registration of birth, in order to enable them to exercise their human rights and fundamental freedoms; (ONGOING 3rd PrepCom)

59. Urges States and international and regional organizations, and encourages non-governmental organizations and the private sector to address the situation of persons with disabilities who are also subject to racism, racial discrimination, xenophobia and related intolerance; also urges States to take necessary measures to ensure their full enjoyment of all human rights and to facilitate their full integration into all fields of life; (ADOPTED at 3rd PrepCom)[5]

III. MEASURES OF PREVENTION, EDUCATION AND PROTECTION AIMED AT THE ERADICATION OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

60. Urges States to adopt and implement, at both the national and international levels, effective measures and policies, in addition to existing anti-discrimination national legislation and relevant international instruments and mechanisms, which encourage all citizens and institutions to take a stand against racism, racial discrimination, xenophobia and related intolerance, and to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes where the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society; (ADOPTED at 3rd PrepCom)

61. Urges States to adopt or strengthen, as appropriate, national programmes for eradicating poverty and reducing social exclusion which take account of the needs and experiences of [individuals and groups affected by or vulnerable to/victims of] racism, racial discrimination, xenophobia and related intolerance, and also urges that they expand their efforts to foster bilateral, regional and international cooperation in implementing those programmes; (ADOPTED at 3rd PrepCom)

62. Urges States to work to ensure that their political and legal systems reflect the multicultural diversity within their societies and where necessary to improve democratic institutions so that they are more fully participatory and avoid marginalization, exclusion and discrimination against specific sectors of society; (ADOPTED at 3rd PrepCom)

63. Calls upon States to adopt and implement effective legislative, policy and programme measures at the national, regional and international levels with a view to combating propaganda that advocates racism, racial discrimination, xenophobia and related intolerance [and false accusations constituting defamation.] (ONGOING 3rd PrepCom)

64. Urges States to take all necessary measures to address specifically, through policies and programmes, racism and racially motivated violence against women and girls and to increase cooperation, policy responses and effective implementation of national legislation and of their obligations under relevant international instruments, and other protective and preventive measures aimed at the elimination of all forms of racially motivated discrimination and violence against women and girls; (ADOPTED at 3rd PrepCom)

65. States should encourage the business sector, in particular the tourist industry and Internet providers, [to develop codes of conduct ~~with a view to protecting trafficked persons~~, with a view to preventing trafficking in persons and protecting the victims of such traffic, especially those in prostitution, against gender-based and racial discrimination and promoting their rights, dignity and security. States should encourage the establishment of independent civil society committees to monitor compliance with such codes of conduct/educate themselves on the global phenomenon of trafficking in migrants, and on the protection needs of trafficked persons, so as to avoid the risk of unwittingly participating in illegal activities];[6] (ONGOING 3rd PrepCom)

66. Urges States to devise, enforce and strengthen effective measures at the national, regional and international levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies which include

legislative measures, prevention campaigns and information exchange. It also urges States to allocate resources, as appropriate, to provide comprehensive programmes designed to provide assistance to, protection for, healing, reintegration into society and rehabilitation of victims, including through job training, legal assistance and health care, and by taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of victims, and to prosecute offenders, including intermediaries;[7] (ONGOING 3rd PrepCom)

A. National level

1. Legislative, judicial, regulatory, administrative and other measures to prevent and protect against racism, racial discrimination, xenophobia and related intolerance

67. Urges States to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia, [anti-Semitism, Islamophobia] and related intolerance, including their gender-based manifestations; (ADOPTED at 3rd PrepCom)

68. Urges States to reaffirm their democratic commitment and take the necessary legislative and judicial measures in accordance with their international human rights obligations to prohibit and prosecute acts of incitement to racial hatred, as well as to imminent violence emanating therefrom or based on racism, racial discrimination, xenophobia and related intolerance by individuals, whether alone or in association with others, and to unequivocally condemn and take concrete measures to discourage all forms of racist or xenophobic propaganda and publicity promoted by organizations, associations, political parties or groups based on or influenced by ideas, theories or doctrines of the superiority of one race, nation or ethnic group, [including anti-Semitism and Islamophobia] and that seek to justify racial hatred, xenophobia or racial discrimination/under the regional and international human rights instruments, and to adopt and implement strictly stringent laws which condemn and actively discourage/to prohibit and prosecute, and outlaw all forms of propaganda, publicity, organizations, associations, political parties or groups based on ideas, theories or doctrines of the superiority of one race, nation or ethnic group and that seek to justify or promote racial hatred, xenophobia or racial discrimination and which recognize that participation in such organizations is an offence punishable by law; (ONGOING 3rd PrepCom)

69. Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, who are [vulnerable to or victims of] racism, racial discrimination, xenophobia and related intolerance. Special attention should be given to protecting people engaged in domestic work and trafficked persons, [including victims of prostitution,] from discrimination and violence, as well as to combating prejudice against them; (ADOPTED at 3rd PrepCom)

70. Urges States [to adopt and implement, or strengthen ~~wherever necessary~~, national legislation and administrative measures that expressly and specifically counter racism and prohibit racial discrimination, whether direct or indirect, in all spheres of public life in conformity with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination without making limiting reservations and to review existing measures with a view to amending or revising national legislation and administrative provisions that may give rise to discrimination;

71. Urges States to devise strategies to combat multiple forms of discrimination, including their root causes, from a gender perspective, with special emphasis on gender-based racial discrimination, in order to develop and implement policies and programmes aimed at the elimination of all forms of discrimination against women and girls, and to empower them, as well as all targeted groups, especially those subject to multiple forms of discrimination through enabling them to claim their rights and ensuring their full, equal and effective participation in decision-making at all levels, in particular in the design and implementation of evaluation of policies and measures which affect their lives; (ONGOING 3rd PrepCom)

72. [Encourages/urges all States to enact and implement, as appropriate, laws against trafficking in persons and smuggling of migrants, and to take into account, in particular, policies and practices that endanger their lives or lead to various kinds of servitude and exploitation, such as debt bondage, slavery and sexual or labour exploitation; also encourages States to create, as appropriate, inter-ministerial task forces or national focal points to combat trafficking in persons, to allocate resources to ensure law enforcement and the creation of adequate judicial institutions to deal with such cases, and to reinforce bilateral, regional and international cooperation, including with non-governmental organizations that assist victims, to combat this traffic;]

73. Urges States to ensure that all necessary constitutional, legislative and administrative measures, including appropriate forms of affirmative action, are in place to prohibit and redress discrimination on the basis of work and descent, and that such measures are respected and implemented by all State authorities at all levels;[8]

74. Urges States to take all necessary constitutional, legislative and administrative measures to foster equality among individuals and groups who are affected by, vulnerable to, or victims of racism, racial discrimination, xenophobia and related intolerance, and to review existing measures with a view to amending or repealing national legislation and administrative provisions that may give rise to such forms of discrimination; (ADOPTED at 2nd PrepCom)

75. Encourages States, as preventive measures, to establish mechanisms for examining and reviewing the conformity of draft legislation with principles of non-discrimination on the basis of race, ethnic or national origin, religion or belief, especially in relation to potentially discriminatory effects, including all forms of multiple discrimination, against persons belonging to targeted groups, and emphasizes that individuals belonging to targeted groups should be invited and encouraged to participate in the design and development of preventive policies and measures;

76. Urges States to ensure that the conduct of trials and the imposition of sentences do not discriminate on grounds relating to racism; in particular, countries where the death penalty is still imposed should investigate any disproportionate impact of such penalty on specific racial groups and allow sufficient time for those investigations to be completed; ~~and declare a moratorium on executions pending such investigations~~; (ONGOING 3rd PrepCom)

77. Urges States to take the necessary measures to ensure that no person will be expelled, extradited or returned to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture or persecution on account of his or her [race, religion, nationality, membership of a particular social group or political opinion] racial, ethnic, cultural, religious, linguistic, ~~or~~ national origin [or political affiliation]; (ONGOING 3rd PrepCom)

78. Urges States, including their law enforcement agencies, to design and fully implement effective policies and programmes to prevent, detect and ensure accountability for misconduct by police officers and other law enforcement personnel which is motivated by racism, racial discrimination, xenophobia and related intolerance and to prosecute perpetrators of such misconduct; (ADOPTED at 3rd PrepCom)

79. Urges States to design, implement and enforce effective measures to eliminate the phenomenon popularly known as "racial profiling" and comprising the practice of police and other law enforcement officers relying, to any degree, on race, colour, descent or national or ethnic origin as the basis for subjecting persons to investigatory activities or for determining whether an individual is engaged in criminal activity. [In cases where a law enforcement officer is seeking to investigate or apprehend a specific suspect whose race, colour, descent, national or ethnic origin is part of the description of the suspect, reliance on such descriptive characteristics shall not be considered to be "racial profiling";] (ADOPTED at 3rd PrepCom)

80. Urges States to take measures to prevent genetic research or its applications from being used to promote racism, racial discrimination, xenophobia and related intolerance, to protect the privacy of personal genetic information and to prevent such information from being used for discriminatory or racist purposes; (ADOPTED at 3rd PrepCom)

81. Urges States, non-governmental organizations and the private sector:

(a) To create and implement policies that promote a high-quality and diverse police force free from discrimination on the basis of race, and recruit actively all groups, including minorities, into public employment, including the police force and other agencies within the criminal justice system (such as prosecutors);

(b) To work to reduce violence, including violence motivated by race, colour, descent or national or ethnic origin, by:

(i) Developing educational materials to teach young people the importance of tolerance and respect;

(ii) Addressing bias before it manifests itself in violent criminal activity;

(iii) Establishing working groups consisting of, among others, local community leaders and national and local law enforcement officials, to improve coordination, community involvement, training, education and data collection, with the aim of preventing such violent criminal activity;

(iv) Ensuring that civil rights laws that prohibit violent criminal activity are strongly enforced;

(v) Enhancing data collection regarding violence motivated by race, colour, descent or national or ethnic origin;

(vi) Providing appropriate assistance to victims, and public education to prevent future incidents of violence motivated by race, colour, descent or national or ethnic origin.

Ratification of and effective implementation of relevant international and regional legal instruments on human rights and non-discrimination

82. Urges States that have not yet done so to consider ratifying or acceding to the international human rights instruments which combat racism, racial discrimination, xenophobia and related intolerance, in particular to accede to the International Convention on the Elimination of All Forms of Racial Discrimination as a matter of urgency, with a view to universal ratification by the year 2005, and to consider making the declaration envisaged under article 14, to comply with their reporting obligations, and to publish and act upon the concluding observations of the Committee on the Elimination of Racial Discrimination. It also urges States to withdraw reservations contrary to the object and purpose of that Convention and to consider withdrawing other reservations; (ADOPTED at 3rd PrepCom)

83. Urges States to give due consideration to the observations and recommendations of the Committee on the Elimination of Racial Discrimination. To that effect, States should consider setting up appropriate national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on these observations and recommendations; (ADOPTED at 3rd PrepCom)

84. Urges States to declare an offence punishable by law and to take legal action ex officio against all acts of racial discrimination under the International Convention on the Elimination of All Forms of Racial Discrimination/to fully and more effectively apply existing legislation concerning the dissolution of organizations promoting racism, racial discrimination, xenophobia, anti-Semitism and related intolerance and prosecute those members breaching the law, and to consider the possibility of declaring membership in organizations promoting racism, racial discrimination, xenophobia, anti-Semitism and related intolerance a criminal offence;

85. Urges those States that have not yet done so to consider signing and ratifying or acceding to the following instruments:

(a) Convention on the Prevention and Punishment of the Crime of Genocide, 1948;

(b) International Labour Organization Migration for Employment Convention (Revised), 1949 (No. 97);

(c) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949;

(d) Convention relating to the Status of Refugees of 1951, and its 1967 Protocol;

(e) International Labour Organization Discrimination Convention (Employment and Occupation), 1958 (No. 111);

(f) Convention against Discrimination in Education, adopted on 14 December 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organization;

(g) Convention on the Elimination of All Forms of Discrimination against Women 1979, with a view to achieving universal ratification within five years, and its Optional Protocol of 1999;

(h) Convention on the Rights of the Child of 1989 and its two Optional Protocols of 2000, and the International Labour Organization Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182);

(i) International Labour Organization Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143);

(j) International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Convention on Biological Diversity, 1992;

(k) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990;

(l) The Rome Statute of the International Criminal Court, 1998;

(m) United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention and the Protocol against the smuggling of Migrants by Land, Sea and Air, supplementing the Convention, 2000;

It further urges States Parties to these instruments to implement them fully; (ADOPTED at 3rd PrepCom)

86. Calls upon States to promote the exercise of the rights set out in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55, of 25 November 1981, in order to obviate religious discrimination against people of African descent;

87. Urges States to seek full respect for, and compliance with, the Vienna Convention on Consular Relations of 1963, especially as it relates to the right of foreign nationals, regardless of their immigration status, to communicate with a consular officer of their own State in the case of arrest or detention;

88. [~~Calls upon~~ Urges all States that have not yet done so to consider ratifying or acceding to ~~to ratify~~ [the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and] the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) of the International Labour Organization, and to prohibit and prevent discriminatory treatment against foreigners and migrant workers, inter alia concerning the granting of visas, work permits, family conditions, housing and access to justice, based on race, colour, descent or national or ethnic origin.];

89. Underlines the importance of combating impunity, including for crimes with a racist or xenophobic motivation, also at the international level [noting that impunity for violations of human rights and international humanitarian law is a serious obstacle to political stability and sustainable development]; it also fully supports the work of the existing international criminal tribunals and the adoption of the Statute of the International Criminal Court;

90. [~~Calls upon~~ Urges States that have not yet done so to consider ratifying or acceding to ~~to ratify~~ international standards/instruments that prohibit discrimination in employment and occupation, in particular the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization, and to apply the Declaration on Fundamental Principles and Rights at Work of 1998 of the International Labour Organization;]

91. Urges States to apply the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), particularly those provisions relating to non-discrimination, where applicable;]

92. Urges States to take appropriate measures for the implementation of the rights of the child without discrimination and with regard to economic, social and cultural rights, to the maximum extent of available resources and, where needed, within the framework of international cooperation;

Prosecution of perpetrators of racist acts

93. Urges States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, to take measures so that such motivations will be considered an aggravating factor for the purposes of sentencing, to prevent these crimes from going unpunished and to ensure the rule of law;

94. Urges States to undertake investigations to examine possible links between criminal prosecution, police violence and penal sanctions, [including the application of the death penalty] [in particular against vulnerable groups and individuals] on the one hand, and racism, racial discrimination, xenophobia and related intolerance, on the other, so as to have evidence for taking the necessary steps for the eradication of any such links and discriminatory practices; (ADOPTED at 2nd PrepCom)

95. Recalls the negative influence of right-wing, neo-fascist, nationalist and racial ideologies on young people and calls for special measures to eliminate it;

96. Urges/calls upon States:

To bring to justice those responsible for the expression of incitement to racial hatred, defamation of nation or race, support or promotion of movement seeking to suppress citizens' rights and freedoms, denial of [Holocaust[s] or [genocide] racist acts ~~and the~~ of violence or intimidation ~~to which they give rise~~, and also to ensure the protection,/respecting the necessary distinction ~~between the prohibition of racial discrimination and the enjoyment~~ of the right to freedom of expression in ~~in ensuring~~ the prohibition of racial discrimination ~~in the enjoyment of the right to freedom of expression~~;]/

To bring to justice those responsible for crimes motivated by racism, racial discrimination, xenophobia and related intolerance and the violence to which they give rise, ensuring that in efforts to combat such crimes, States find a balance between the principle of freedom of expression and the ~~goal~~ principle of eradication of racist and hateful speech;]/

To bring before national and international tribunals those responsible for racist acts, racial hatred and violence perpetrated against those groups that are most vulnerable. States undertake to prohibit all forms of discrimination and to suppress laws that constitute an obstacle to inter-community relations and mutual cooperation;/

To bring to justice those responsible for racist acts and the violence to which they give rise and to ensure the prohibition of all manifestations of racism, racial discrimination and xenophobia in the exercise of the right to freedom of expression;

97. Urges States parties:

To adopt legislation implementing the obligations they have assumed to prosecute and punish persons who have committed or ordered to be committed grave breaches of the Geneva Conventions of 12 August 1949 and Additional Protocol I thereto and of other serious violations of the laws and customs of war, in particular in relation to the principle of non-discrimination; (ADOPTED at 3rd PrepCom)

98. Calls upon States to criminalize trafficking in women and children in all its forms and to condemn and penalize traffickers and intermediaries, while ensuring protection and assistance to the victims of trafficking with full respect for their human rights;

99. Urges States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national and international levels to address the issue of missing persons who are victims of racism, racial discrimination, xenophobia and related intolerance during armed conflicts which occurred in the context of serious violations of international humanitarian and human rights law, and to provide necessary assistance as requested by the most seriously affected States;[9] (ONGOING 3rd PrepCom)

100. Urges States, non-governmental organizations and the private sector to work to ensure that violence motivated by race, colour, descent or national or ethnic origin is prosecuted with the same vigour as other similarly serious crimes;

101. Urges States to carry out comprehensive, exhaustive, timely and impartial investigations of all unlawful acts of racism and racial discrimination, to prosecute criminal offences ex officio, as appropriate, or initiate or facilitate all appropriate actions arising from offences of a racist or xenophobic nature, to ensure that criminal and civil investigations, and prosecutions of offences of a racist or xenophobic nature are given high priority and are actively and consistently undertaken, and ensure the right to equal treatment before the tribunals and all other organs administering justice. In this regard, the World Conference underlines the importance of fostering awareness and providing training to the various agents in the criminal justice system to ensure fair and impartial application of the law. In this respect, it recommends that anti-discrimination monitoring services be established; (ADOPTED at 3rd PrepCom)

Establishment and reinforcement of independent specialized national institutions and mediation

102. Urges States, as appropriate, to establish, strengthen, review and reinforce the effectiveness of independent national human rights institutions, particularly on issues of racism,

racial discrimination, xenophobia and related intolerance, in conformity with the Principles relating to the status of national institutions for the promotion and protection of human rights, annexed to General Assembly resolution 48/134 of 20 December 1993, and to provide them with adequate financial resources, competence and capacity for investigation, research, education and public awareness activities to combat these phenomena; (ADOPTED at 3rd PrepCom)

103. Also urges States:

(a) To foster cooperation between these institutions and other national institutions;

(b) To take steps to ensure that [individuals and groups that are or may be subject to racism, racial discrimination, xenophobia and related intolerance] can participate fully in these institutions;

(c) To support these institutions and similar bodies, inter alia through the publication and circulation of existing national laws and jurisprudence, and cooperation with institutions in other countries so that knowledge can be gained of the manifestations, functions and mechanisms of these practices and the strategies designed to prevent, combat and eradicate them; (ADOPTED at 3rd PrepCom)

2. Policies and practices

Data collection and disaggregation, research and study

104. Urges States:

(a) To collect, compile and disseminate data on the situation of groups which are victims of racially motivated discrimination, xenophobia and related intolerance providing information on the composition of their populations according to race, colour, nationality, national origin, ethnicity, religion, sex, age and other factors, as appropriate, for, inter alia, the development and evaluation of policies with respect to human rights, including those ~~against~~ that address racism, racial discrimination, xenophobia and related intolerance. The collection of such data should may take into account the self-definition of these groups;

(b) To promote quantitative, qualitative and gender-sensitive research on the subject with the full and equal participation of those concerning whom the research is being undertaken;

(c) To institute routine monitoring of racist acts at the local and national levels and of the situation of marginalized racial and ethnic groups, [through periodic sampling and compilation of statistical information collected and analysed disaggregated by sex, age, race ~~or~~ ethnic group/ethnicity and national origin, particularly with regard to such fundamental economic and social indicators as the infant mortality rate, life expectancy, the literacy rate, level

of education, access to employment, housing and health services, and average disposable income.] [Special attention should be paid to research into the impact of racial discrimination on the enjoyment of those rights and to the publication of the conclusions];

(d) To ensure that institutions responsible for providing statistical information on the population take explicit account of the existence of [indigenous peoples, people of varying descent and other ethnic groups,] ~~capturing the component parts of their diversity according to their needs~~ and obtain data on relevant and appropriate characteristics, design~~ing~~ strategies to evaluate ~~the human rights~~ all policies concerning ethnic groups. To that end, it recommends the development of voluntary, consensual and participatory strategies for these communities in the processes of collecting and using information;

(e) To share/exchange experiences and successful practices with other States;

(ONGOING 3rd PrepCom)

105. [Governments should collect] The World Conference further invites States:

(a) To collect or examine ways of collecting better statistical data and analyse them in order to identify how legislation and policy affect children's lives, ensuring that any data collected on race, colour, descent, religion, language, national or ethnic origin/ethnicity, nationality, religion, descent, etc. will not be misused;

(b) To compile and publish data to determine the extent to which people with disabilities, including those from disadvantaged groups, are not receiving basic social services so that States can develop specific policies and programmes to remedy this type of exclusion;

106. Urges States to ensure that all data and information are collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees;

107. [Government efforts to design policies aimed at combating racial discrimination, xenophobia and related intolerance should be based on reliable statistical data and other quantitative information including qualitative research done, and priorities identified by Roma themselves reflecting as accurately as possible the status of the ~~Roma in society~~ Roma, Gypsies, Sinti and Travellers in society. Such information should be collected in accordance with human rights principles and in consultation with the persons concerned, and protected against abuse through data protection and privacy guarantees./ All such information shall be collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees.];

108. Urges States to compile and publish statistics on incidents and complaints of police brutality on a regular basis to determine whether criminal justice policies or programmes ~~have an~~ imply discrimination against ~~unjustified disparate impact racial and ethnic minorities~~, those discriminated on the basis of/~~who are subject to~~ racism, racial discrimination, xenophobia and related intolerance with a view to identifying and eliminating these practices, and also encourages non-governmental organizations and other interested sectors to continue their work in compiling and publishing such statistics; (ONGOING 3rd PrepCom)

109. Invites States to promote the study and adoption of an integral, objective and long-term approach to all phases and aspects of migration which will deal effectively with both its causes and manifestations, and pay special attention to the prevention and punishment of illegal acts motivated by racism, racial discrimination, xenophobia and related intolerance, wherever they may occur;

110. Recommends that further studies be conducted on how racism, racial discrimination, xenophobia and related intolerance may be/are reflected in laws, policies, institutions and practices and how this may have/has contributed to the vulnerability, victimization and exclusion of migrants, especially women and children;

111. Invites the international institutions to study the causes of migrations in specific cases and to cooperate with the countries of origin in addressing the causes of migratory flows;

112. Calls for studies to address the effects of economic globalization on migration trends and the resurgence of racism, racial discrimination, xenophobia and related intolerance;

113. Urges States to compile and publish, where appropriate, statistical data disaggregated by race and ethnicity to determine whether employment policies or programmes have an unjustified disparate impact on racial and ethnic minorities, and to support the development of specific policies or programmes;

114. Urges States to adopt and implement social development policies based on reliable statistical data and centred on the attainment, by the year 2015, of the commitments to meet the basic needs of all set forth in paragraph 36 of the Programme of Action of the World Summit for Social Development, held at Copenhagen in 1995, with a view to significantly close the existing gaps in living conditions faced by groups victims of racism, racial discrimination, xenophobia and related intolerance, especially regarding the illiteracy rate, universal primary education,

infant mortality, under-five child mortality, reproductive health care to all, and access to safe drinking water. Promotion of gender equality will also be taken into account in the adoption and implementation of these policies;[10] (ONGOING 3rd PrepCom)

115. Urges Governments, non-governmental organizations and the private sector to takes steps to improve the collection, analysis and use of data disaggregated by race and ethnicity to reduce disparities in access to health care and improve the overall health status and health outcomes of minority and indigenous populations;

116. Recommends that States include in their periodic reports to the treaty bodies, in an appropriate form, data about the Roma communities within their jurisdiction, including statistical data about Roma participation in political life and about their economic, social and cultural situation;

117. Draws attention to the importance of collecting and publishing adequate data, broken down by sex and age, on the number and nature of racist and xenophobic incidents or offences, the number of cases prosecuted or the reasons for non-prosecution and the outcome of prosecutions;[11] (ONGOING 3rd PrepCom)

Action-oriented policies and action plans, including affirmative action to ensure non-discrimination, in particular as regards access to social services, employment, housing, education, health care, etc.

118. The World Conference recognizes that combating racism, racial discrimination, xenophobia and related intolerance is a primary responsibility of States. It therefore encourages States to develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all. Through, among other things, affirmative or positive actions and strategies, these plans should aim at creating conditions for all to participate effectively in decision-making and realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination. The World Conference encourages States, in developing and elaborating such action plans, to establish, or reinforce, dialogue with non-governmental organizations in order to involve them more closely in designing, implementing and evaluating policies and programmes; (ADOPTED at 3rd PrepCom)

119. Urges States to take concrete measures to promote equality based on the elimination of gender and racial prejudice in all fields through, inter alia, improving access to education, health care, employment and other basic services to promote full enjoyment of economic, social and cultural rights;

120. Urges States to establish, on the basis of existing statistical information, national programmes, including ~~affirmative action~~ positive measures, to promote the access of individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance ~~indigenous people.~~ [people of varying descent,] ~~migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities~~ to education, medical care and basic social services, including primary education and basic health care;

121. Recommends that host countries for migrants consider the provision of adequate services in the areas of health, education and accommodation as a matter of priority in their cooperation measures with the United Nations agencies, the Organization of American States and international financial bodies, and also requests that these agencies provide an adequate response to requests for such services;

122. Urges States to establish national programmes to promote the access, without any discrimination, of people of African descent, Mestizos, migrants and other ethnic, racial, cultural, linguistic and religious groups, minorities and indigenous peoples, where they exist, to education, medical care and other social services and to eliminate by the year 2010 the disparities these groups experience, inter alia in the infant mortality rate, childhood immunization, HIV/AIDS, heart disease, cancer and contagious diseases;

123. Urges States to specifically include prohibition of direct and indirect discrimination on grounds of actual or presumed nationality or national origin in civil, administrative and labour law in order to combat effectively discrimination against non-nationals, particularly migrant workers and refugees. National anti-discrimination legislation should specifically include access to and provision for effective judicial, administrative and other remedies for non-citizens;

124. Urges States to prevent and eliminate, where they exist, racially discriminatory policies and practices in access to public and private employment, business opportunities, development programmes [and occupation], education, housing and health care and to promote policies which seek to improve the prospects of targeted groups facing, inter alia, the greatest obstacles in finding, keeping or regaining work, including skilled employment. Particular attention should be paid to persons subject to multiple discrimination;

125. Urges Governments to counter social exclusion and marginalization of racial, ethnic, cultural, religious, linguistic and national minorities, in particular by providing de facto equal access to education, health services, employment and housing;

126. In the field of public and private housing, authorities should promote the successful cohabitation of different social groups at the planning stage of urban development schemes, as well as renovate neglected areas of public housing so as to counter social exclusion;

Employment

127. ~~Invites~~ Urges States to promote and support where appropriate the organization and operation of enterprises owned by indigenous people, people of minority descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities by favouring/facilitating equal/promoting equal access to credits and training programmes;

128. Urges States and encourages non-governmental organizations and the private sector:

(a) To support the creation of workplaces free of discrimination through a multifaceted strategy that includes civil rights enforcement, public education and communication within the workplace, and to promote and protect the rights of workers who are subject to racism, racial discrimination, xenophobia and related intolerance;

(b) To foster the creation, growth and expansion of businesses dedicated to improving economic and educational conditions in underserved and disadvantaged areas, by increasing access to capital through, inter alia, community development banks, recognizing that new businesses can have a positive, dynamic impact on communities in need, and to work with the private sector to create jobs, help retain existing jobs and stimulate industrial and commercial growth in economically distressed areas; (ADOPTED at 3rd PrepCom)

129. Urges States to give special attention, when promoting and implementing legislative and judicial policies designed to give workers adequate protection, to the serious situation of lack of protection and, in some cases, the exploitation or trafficking of victims of racism, racial discrimination, xenophobia and related intolerance, a situation that allows or facilitates confinement, as in the case of domestic workers, and dangerous and badly paid jobs;

130. Urges States to avoid the negative effects of discriminatory practices, racism and xenophobia in employment and occupation by promoting the application and observance of international instruments and norms on workers' rights, [including the Declaration on Fundamental Principles and Rights at Work]. It also urges States to continue their efforts to protect the rights of workers who are particularly vulnerable to racism, racial discrimination, xenophobia and related intolerance, including those who may be discriminated against on multiple grounds;

131. Encourages States to consider taking measures to increase the recruitment, retention and promotion of women and men [belonging to] ~~targeted~~/all groups, including racial and ethnic minorities/affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, in the teaching profession and guarantee them effective equality of access to it. Particular efforts should be made to recruit women and men who have the ability to interact effectively with all groups;

132. Calls upon all States to recognize the importance of the involvement and participation of all persons affected and to encourage trade unions, the business sector and employers to work together in the formulation and implementation of policies and programmes to ensure non-discrimination and equality in the workplace;

133. Calls upon all States to provide protection to victims of racism, racial discrimination, xenophobia and related intolerance in the workplace through access to effective labour- and employment-relevant administrative institutions and processes, legal procedures and other remedial action;

Health, environment

134. Urges States, individually and through international cooperation, to enhance measures to fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to eliminating disparities in health status, as indicated in standard health indexes, which might result from racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 2nd PrepCom)

135. Urges States and encourages non-governmental organizations and the private sector:

(a) To provide effective mechanisms for monitoring and eliminating racism, racial discrimination, xenophobia and related intolerance in the health-care system, such as the development and enforcement of effective anti-discrimination laws;

(b) To take steps to ensure equal access to comprehensive, quality health care affordable for all, including primary health care for medically underserved people, facilitate the training of a health workforce that is both diverse and motivated to work in underserved communities, and work to increase diversity in the health-care profession by recruiting women and men from all groups on merit and potential, representing the diversity of their societies, for health-care careers and by retaining them in the health professions;

(c) To work with health-care professionals, community-based health providers, non-governmental organizations, scientific researchers and private industry as a means of improving the health status of marginalized communities, in particular victims of racism, racial discrimination, xenophobia and related intolerance;

(c) bis To work with health professionals, scientific researchers and international and regional health organizations to study the differential impacts of medical treatments and health strategies on various communities;

(d) To adopt and implement policies and programmes to improve HIV/AIDS prevention efforts in high-risk communities and work to expand availability of HIV/AIDS care, treatment and other support services; (ADOPTED 3rd PrepCom)

136. Urges States to take measures and to set targets to ensure the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to eliminating disparities in health status;

137. Urges States, non-governmental organizations and the private sector to take steps to improve access to public information on health and environmental issues by all people, including those affected by racism, racial discrimination, xenophobia and related intolerance; identify and address the adverse effects of government policies and programmes on human health and the environment in targeted areas; and promote compliance with and enforcement of all health and environmental laws, including in areas inhabited by racial or ethnic minorities, indigenous peoples, or low-income populations;

138. Urges States to adopt measures to provide a proper/safe and healthy environment for racially and ethnically disadvantaged groups; ensure that they have the ability to participate meaningfully in the public process of environmental decision-making that may affect them; share technology and best practices to improve human health and the environment in all areas; seek to prevent or minimize the industrial pollution that affects them disproportionately; take all appropriate measures to clean and redevelop contaminated sites located in or near where they live, turn them into usable space that is clean and safe for human use and habitation, create jobs and enhance community development and, where appropriate, relocate, on a voluntary basis and after consultation with those affected, racially and ethnically disadvantaged groups to other areas when there is no other practical alternative for ensuring their health and well-being;

Equal participation in political, economic, social and cultural decision-making

139. Urges States and encourages the private sector and international financial and development institutions, such as the World Bank and regional development banks, to promote participation of [persons belonging to all groups, affected by or vulnerable to/victims of] racism, racial discrimination, xenophobia and related intolerance, in economic, cultural and social decision-making at all stages, particularly in the development and implementation of poverty alleviation strategies, development projects, and trade and market assistance programmes; (ADOPTED at 3rd PrepCom)

140. Urges Governments to enhance/reflect on and facilitate the effective and equal access of all members of the community, ~~including members of vulnerable groups~~/individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, to the decision-making processes in society, in particular at the local level;

141. Urges all international financial institutions, in particular the World Bank and regional development banks, to promote participation [by all members of the international community] [in the decision-making process at all stages] [at the global and regional levels respectively] [in order to facilitate development projects and trade and market assistance programmes, as well as the implementation of poverty alleviation strategies], [the lack of which/non-fulfilment of which negatively affects the Member States and may lead to [discriminatory behaviour and xenophobic attitudes] against minorities, groups and individuals [in society at large];

142. Urges Governments and the private sector to promote participation by persons belonging to members of all groups, including members of vulnerable groups and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, and facilitate their effective and equal access to the decision-making processes in society, in particular at the local level;

Role of politicians and political parties

143. Urges States to promote good governance based on the principles of democracy, the rule of law, equality, non-discrimination and transparency and thus reflect the full diversity of a given State. It encourages [political parties to take concrete steps to promote solidarity, tolerance and respect, inter alia by developing [model] voluntary code[s] of conduct as well as penal measures for members of such parties that engage in statements and actions that ~~could~~ encourage or incite racism, racial discrimination, xenophobia and related intolerance ~~and racist sentiment~~ among the public];

144. Invites the Inter-Parliamentary Union to encourage debate in, and action by, Parliaments on legal measures to be taken at the national level to combat racism, racial discrimination, xenophobia and related intolerance;

3. Education and awareness-raising measures

145. Urges States, where appropriate working with other relevant bodies, to commit financial resources to anti-racism education and to media campaigns promoting the values of acceptance, tolerance, diversity and respect for the cultures of all indigenous peoples living within their national borders. In particular, States should promote an accurate understanding of the histories and cultures of indigenous peoples; (ADOPTED at 3rd PrepCom)

146. Urges the United Nations, other appropriate international and regional organizations and States to redress the marginalization of Africa's contribution to world history and civilization by developing and implementing a specific and comprehensive programme of research, education and mass communication to disseminate widely a balanced and objective presentation of Africa's seminal and valuable contribution to humanity; (ADOPTED at 2nd PrepCom)

147. Encourages all States and relevant international organizations to initiate and develop cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance and enhancing mutual understanding amongst various cultures and civilizations. It further urges States to initiate public information campaigns to promote respect for the values of diversity, pluralism, tolerance, mutual respect, cultural sensitivity, integration and inclusiveness;

148. Calls upon States to ensure that education and training, especially teacher training, promote respect for human rights, the culture of peace, gender equality, and cultural, religious and other diversity, and to encourage educational and training institutions and organizations to adopt policies of equal opportunities and follow up their implementation with the participation of teachers, parents, boys and girls and the community. It further urges all educators, including teachers in all post-secondary education processes, religious bodies and the print and electronic media, to play an effective role in education against racism, racial discrimination, xenophobia and related intolerance;

149. Urges States to intensify their efforts in the field of education to promote the awareness/consciousness of the evils of racism, racial discrimination, xenophobia and related intolerance,/in order to understand the causes and sources and denounce their perverse effects, in order to ensure respect for the dignity and worth of all human beings. In this context, States

should develop, where appropriate, and implement specific sensitization and training programmes, formulated in local languages for all categories of society, in particular young people, to combat racism;

150. [Calls upon States to commit themselves to undertaking public information campaigns or other more long-term initiatives, inter alia through the media, to alert their societies to the dangers of racism, racial discrimination, xenophobia, [anti-Semitism], Islamophobia and racist practices of Zionism and related intolerance, and to support initiatives of non-governmental organizations in this respect. Such campaigns or initiatives need to be addressed to the whole of society, in particular young people, including children. The World Conference also calls upon States to undertake and facilitate activities aimed at educating young people in human rights and democratic citizenship and instilling the values of solidarity, respect and appreciation of diversity. A special effort to inform and sensitize young people to respect minorities and democratic values should be undertaken or developed to fight against ideologies based on so-called racial superiority;]

151. Urges States to adopt and implement laws that prohibit discrimination on the basis of race, colour, descent or national or ethnic origin at all levels of education; remove barriers and ensure equal access to quality education that maximizes opportunities for employment in today's job markets; establish and implement methods to measure and track improvement in disadvantaged youths' education performance; support efforts to ensure safe school environments free from violence and free of harassment on the basis of race, colour, descent or national or ethnic origin; and establish financial assistance programmes designed to enable students, regardless of race, colour, descent or ethnic or national origin, to attend institutions of higher education;

152. Urges Governments to support and implement public formal and non-formal education programmes designed to promote cultural diversity, self-esteem building and teaching in the mother tongue for national/ethnic minorities and indigenous peoples;

Access to education without discrimination

153. Concerning education in general, appeals to all States to fight against any form of separate schooling based on national or ethnic origin, colour, descent or religion and to ensure equal access to education for all in law and in practice;

154. Urges States to commit themselves to ensuring access to education, including access to free primary education for all children within their territory, based on respect for human rights, diversity and tolerance, without discrimination of any kind and in accordance with international standards;

Introduction and reinforcement of human rights education

155. Urges States to encourage all schools to consider developing educational activities, including extracurricular ones, to raise awareness against racism, racial discrimination, xenophobia and related intolerance, inter alia by commemorating the International Day for the Elimination of Racial Discrimination (21 March); (ADOPTED at 3rd PrepCom)

156. Urges States to adopt and implement all necessary legislative, administrative and other measures to promote correct reflection on and perception of the past and contemporary history of colonialism, slavery, racism and racial discrimination, inter alia among their new generations, through faithful education and other appropriate means, with a view to preventing the recurrence of such wrongdoings;

157. In this regard, it is important to introduce and, as applicable, to reinforce an/the anti-discrimination and anti-racism components/into human rights programmes in school curricula, to develop relevant educational material and to ensure that all teachers are effectively trained and adequately motivated to shape attitudes and behavioural patterns, etc./of the school curricula and to improve educational materials on human rights and anti-racism, in order to shape attitudes and behavioural patterns based on the principles of non-discrimination, mutual respect and tolerance;

158. Urges States to harness the power of education and adopt, as appropriate, training programmes and develop educational materials aimed at combating racism, racial discrimination, xenophobia and related intolerance and, in this context, calls upon States to give priority to textbook and curriculum review and amendment so as to eliminate any elements that might promote racism, racial discrimination, xenophobia and related intolerance or reinforce negative stereotypes, and to include material that refutes such stereotypes. It also urges them to provide mainstream education with an accurate presentation of ~~the~~ history ~~of the State~~, highlighting the contributions of ~~the~~ individuals and groups from different cultures and civilizations ~~of the region and the world, including the role that indigenous people, people of African descent, Roma, migrants and other ethnic, racial, cultural, religious and linguistic groups and minorities have played in building national identities~~;

159. Greater emphasis should be placed on teaching the history of national, racial, linguistic, cultural, religious and ethnic minorities [and of the history of neighbouring countries] with the aim of achieving mutual respect and understanding for others' culture, religion or history/as well as of their contribution to the whole civil society;

160. ~~Calls upon~~ Strongly recommends to participating States to introduce, ~~or encourage the introduction of~~, or reinforce, human rights education, ~~including promoting anti-racism~~, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship between different racial or ethnic groups in school curricula and in institutions of higher education and to support public formal and non-formal education programmes designed to promote cultural diversity and self-esteem of vulnerable groups;

Training of professional groups in public administration and in the administration of justice

161. Requests States, wherever appropriate through cooperation with intergovernmental organizations, national institutions, non-governmental organizations and the private sector, to organize and facilitate training courses or seminars about international norms prohibiting racial discrimination and their applicability in domestic law, as well as on the application of international human rights standards such as obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, for prosecutors, members of the judiciary and other public officials. It calls upon States to provide wide-ranging education for their law enforcement officials, in particular members of the police force, in combating stereotypes that provoke violence on their part, particularly against people of African descent [and recognize that the successful completion of such training programmes ~~be made one of the criteria for promotion~~ is essential for effective policing];

162. Urges States to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the administration of justice and fair trial and to conduct nationwide campaigns, amongst other measures, to raise awareness among State organs and public officials concerning their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant instruments;

(ADOPTED at 2nd PrepCom)

163. Urges States to develop anti-racist and gender-sensitive human rights training for personnel in the administration of justice, law enforcement agencies, security and health-care services, schools and migration authorities, paying particular attention to immigration officials, border police and the staff of migrant detention centres, as well as for United Nations personnel;

164. Urges countries receiving migrants to strengthen the human rights training and awareness-raising activities designed for immigration officials, border police, the staff of migrant detention centres, local authorities and other civil servants in charge of enforcing laws, as well as teachers, with particular attention to the human rights of migrants, in order to prevent racial conflicts and avoid situations where prejudices lead to decisions based on racism, racial discrimination, xenophobia or related intolerance;

165. Urges States to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

4. Information, communication and the media, including new technologies

166. Urges States and encourages the private sector to promote the development by the media, including the print and electronic media, including Internet and advertising, taking into account their independence, through their relevant associations and organizations at the national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, in order:

(a) To combat racism, racial discrimination, xenophobia and related intolerance and do away with stereotypes;

(b) To promote the fair, balanced and equitable representation of the diversity of their societies, as well as ensuring that this diversity is reflected among their staff;

(c) To combat the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form and to promote respect, tolerance and understanding among all individuals, peoples, nations and civilizations, for example through assistance in public awareness-raising campaigns;

(d) To avoid stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees in order to prevent the spread of xenophobic sentiments among the public and to encourage the objective and balanced portrayal of people; (ADOPTED at 3rd PrepCom)

It further urges States to make punishable by law, in accordance with relevant international human rights law, incitement to racial hatred;[12] (ONGOING 3rd PrepCom)

167. Calls upon States to encourage Internet service providers to establish and disseminate specific voluntary codes of conduct and self-regulatory measures against the dissemination of racist messages and those that promote racial discrimination, xenophobia or any form of intolerance and discrimination;

168. In this context, Governments are encouraged to set up a national consultative body which might act as a permanent monitoring centre, mediating body and partner in the preparation of codes of conduct;

169. Draws the attention of States to the need to coordinate a prompt international response to the rapidly evolving phenomenon of the dissemination of hate speech and racist material on the Internet. In this respect, it calls for international ~~judicial~~ cooperation to be strengthened and rapid intervention mechanisms to be agreed;

170. Calls upon all States to criminalize dissemination through the Internet of racist messages and those that promote racial discrimination, xenophobia or any form of intolerance and discrimination;

171. Urges States to apply all relevant human rights instruments to which they are parties, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, to racism on the Internet;

172. Urges States to adopt and apply to the extent possible existing legislation for prosecuting those responsible for imminent incitement to racial hatred/violence on the Internet and their accomplices, taking fully into account existing international and regional standards on freedom of expression, while taking all necessary measures to guarantee the right to freedom of opinion and expression. It further recommends the training of law enforcement authorities in addressing the problem of dissemination of racist material through the Internet;

173. Expresses concern at the material progression of racism, including contemporary forms and manifestations of racism such as the use of the Internet to disseminate ideas of racial superiority. The World Conference takes note of/welcomes the positive contribution the Internet

~~can bring in~~ is bringing to combating racism through rapid and wide-reaching communication. Aware that the international use of and access to the Internet is limited by social, cultural and political boundaries, the World Conference calls upon States to enable all people to access and use the Internet as an international and equal forum. It calls upon States to examine ways in which this contribution can be enhanced ~~the Internet can be used systematically, for example through the creation of a specific site~~, to provide information about good practices for combating racism, racial discrimination, xenophobia, anti-Semitism and related intolerance and racist practices of Zionism. It also draws attention to the potential to increase the use of the Internet to create educational and awareness-raising networks against racism and intolerance, both in and out of school, as well as the ability of the Internet to promote universal respect for and the value of cultural diversity;

174. Requests States to take necessary measures to denounce, actively discourage and prohibit the transmission of racist and xenophobic messages through all communications media, including new communications technologies such as the Internet;

175. Urges States ~~to prevent, by all appropriate means~~ to encourage the media to avoid discourage stereotyping ~~of any ethnic, racial, national, cultural and linguistic group~~ based on race, colour, descent, religion, language, culture, or national or ethnic origin and encourage objective and balanced portrayals of people, events and history, ~~especially in the media~~, recognizing the profound influence that such portrayals have on societal perception of individuals and groups ~~whose members are frequently victims of~~ affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, and to make punishable by law, in accordance with relevant international human rights law, incitement to racial hatred;

176. Urges the media to recognize the value of cultural diversity and to take concrete measures to ensure that marginalized communities have access to the media through, inter alia, the presentation of programmes that reflect the cultures and languages of minority communities, [and to ensure that they promote representation of members of groups which are victims of individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance are adequately represented at all levels of their organizational structure] and encourages the media to facilitate members of targeted groups to be adequately represented;

B. International level

177. Urges all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 3rd PrepCom)

178. Encourages States, regional and international organizations, including financial institutions, as well as civil society, to develop a mechanism to address those aspects of globalization which may lead to racism, racial discrimination, xenophobia and related intolerance;

179. Strongly urges States to take effective international measures to guarantee the implementation of human rights standards and the elimination of all forms of racism, racial discrimination, xenophobia, apartheid and related intolerance in respect of peoples under colonial or other forms of alien domination or foreign occupation, particularly those under an occupation based on racist, ethnic and settler ideology, in accordance with the rules of international law, international humanitarian law and the international conventions in relation to the elimination of all forms of racism and racial discrimination, xenophobia, apartheid and related intolerance, as they constitute a crime against humanity;

180. Urges strengthening of the capacity of the early warning and urgent procedures mechanisms of the Committee on the Elimination of Racial Discrimination so that it can act immediately under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination with regard to any mass media appeals and any other incitement to racial discrimination and violence leading to genocide; (ONGOING 3rd PrepCom)

181. Recommends that the Department of Peacekeeping Operations of the Secretariat and other concerned United Nations agencies, bodies and programmes strengthen their coordination to discern patterns of serious violations of human rights and humanitarian law with a view to assessing the risk of further deterioration that could lead to genocide, war crimes or crimes against humanity; (ADOPTED by 3rd PrepCom)

182. Requests the World Health Organization to promote activities for the recognition of the race/ethnic group/gender variant as a significant variable in health matters and to prepare specific projects for prevention, diagnosis and treatment among people of African descent;

183. Stresses the important role that the United Nations Educational, Scientific and Cultural Organization can play in providing support to States in the preparation of teaching materials and tools for promoting teaching, training and educational activities relating to human rights and the struggle against racism, racial discrimination, xenophobia and related intolerance;[13]

IV. PROVISION OF EFFECTIVE REMEDIES, RECOURSE, REDRESS, [COMPENSATORY] AND OTHER MEASURES AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

Legal assistance

184. Urges States to take all necessary measures to address, as a matter of urgency, the pressing requirement for justice for the victims of racism, racial discrimination, xenophobia and related intolerance and to ensure that victims have full access to information, support, effective protection and national, administrative and judicial remedies, including the right to seek just and adequate reparation or satisfaction for damage, as well as legal assistance, where required; (ADOPTED at 3rd PrepCom)

185. Urges States to provide victims of racial discrimination with/facilitate access to all appropriate methods of justice and legal assistance in a manner adapted to their specific needs and vulnerability, including exemption from fees, simplification of procedures, legal representation and establishment, as appropriate, of specially adapted jurisdictions to deal with such cases;

186. Urges States to ensure the protection against victimization of complainants and witnesses to acts of racism, racial discrimination, xenophobia and related intolerance, ~~to ensure that persons belonging to targeted groups who have been victims of gender-related crimes, such as rape and other forms of sexual and domestic violence, forced prostitution and trafficking for the purpose of sexual exploitation, are granted adequate legal protection and support. It further encourages States~~ and to consider measures such as making legal assistance, including legal aid, available to complainants when seeking a legal remedy and, if possible, affording the possibility for non-governmental organizations to support complainants of racism, with their consent, in legal procedures; (ONGOING 3rd PrepCom)

National legislation and programmes

187. Affirms that the establishment of more effective measures against racial discrimination should include recognition of the need for a package of preventive and deterrent measures. Cultural change to be achieved through educational programmes must be in the forefront of

preventive measures but deterrent measures are equally essential, for example and where appropriate: (a) adoption of a ~~law~~ legal framework/laws against racial discrimination [and its incorporation into national legislation]; such a law could be modelled on United Nations publication HR/PUB/96/2; (b) extension of legislative measures prohibiting racial discrimination in all areas of the public and private sectors, including employment, training, education, housing, the provision of goods and services, immigration policy, the administration of justice, and law and order; (c) enactment of legislation providing for adequate ~~civil~~ compensation of victims of racial discrimination: [Provision should be made for rehabilitation of the perpetrators and victims of acts of racism by means of truth commissions, apologies and the establishment of victims' compensation and reparation funds, as appropriate;]

188. For the purposes of effectively combating racism and racial discrimination, xenophobia and related intolerance in the civil, political, economic, social and cultural fields, the World Conference recommends to all Member States that their national legislative framework ~~in criminal, civil and administrative law~~ should expressly and specifically prohibit racial discrimination ~~on grounds of presumed racial, ethnic or national origin, religion and belief~~ and provide effective judicial and other remedies or redress, including through the designation of national, independent, specialized bodies. Such legislation should embrace concepts of direct ~~or indirect~~ discrimination. It should cover such areas as employment, education, housing, health care, social protection and social security, social benefits, access to supply of goods and services and to public places, as well as access to citizenship. This legislation should clearly cover the private sector as well as the functions of public bodies and authorities such as law enforcement personnel, judges, prosecutors, other components of the criminal justice system, local authority enforcement powers, health and safety bodies, child protection, detention under mental health legislation and tax collection, ~~as well as the private sector.~~ (ONGOING 3rd PrepCom)

189. Urges States, with regard to the procedural remedies provided for in their domestic law, to bear in mind the following considerations: (a) access to such remedies should be as wide as possible; (b) the existing procedural remedies must be made known in the context of the relevant action, and victims of racial discrimination should be helped to avail themselves of them in accordance with the particular case; (c) complaints of racial discrimination must be settled as rapidly as possible, a reasonable time-limit being set for the relevant inquiries; (d) [~~indigent~~ persons who are victims of racial discrimination should receive free legal assistance and aid, where appropriate, in the complaint proceedings and, where necessary, be provided with the help

of an interpreter in civil and criminal cases;] (e) States should be urged to create national bodies competent to investigate allegations of racial discrimination; (f) steps should be taken towards the enactment of legislation to penalize discriminatory practices on grounds of race or ethnic origin and provide for adequate compensation of the victims; (g) access to legal remedies should be facilitated for victims of discrimination [and the legal capacity of non-governmental institutions or organizations to intervene on their behalf should be recognized by means of legislative reforms]; programmes to enable the most vulnerable groups to have access to the legal system should be prepared; (h) States should consider establishing new structures for reviewing traditional systems of conflict resolution and mediation; (i) States should be encouraged to develop restorative justice policies and programmes that are respectful of the rights and needs of victims, offenders, communities and any other parties; (j) increased efforts should be undertaken to inform the public of the existence of the complaints mechanism under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination;

190. Urges States to ensure that African peoples, in particular women and children of African descent, have access to education and new technologies that would offer them places, and adequate resources for education and technological development and long-distance learning in local communities, and further urges States to ensure that the history and contribution of African peoples are fully and accurately incorporated in the education curriculum at all levels;[14]

Remedies, reparations, compensation

191. Requests States which practised and benefited from the transatlantic slave trade and the system of enslavement of Africans to initiate a constructive dialogue with people of African descent in order to identify and implement measures for ethical and moral satisfaction and any others that may be agreed;

192. Urges States to reinforce protection against racism, racial discrimination, xenophobia and related intolerance by ensuring that all persons have access to effective and adequate remedies and enjoy the right to seek from competent national tribunals and other national institutions just and adequate reparation and satisfaction for any damage as a result of such discrimination. It further underlines the importance of access to the law and to the courts for complainants of racism and racial discrimination and draws attention to the need for judicial and other remedies to be made widely known, easily accessible, expeditious and not unduly complicated;

(ADOPTED at 3rd PrepCom)

193. States shall assure to everyone within their jurisdiction effective protection and remedies, through competent national tribunals and other State institutions, against acts of racial discrimination which violate his or her human rights and fundamental freedoms contrary to the International Convention on the Elimination of All Forms of Racial Discrimination and other international human rights instruments, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination;

194. Urges States to adopt the necessary measures, as provided by national law, to ensure the right of victims to seek just and adequate reparation and satisfaction ~~prompt, effective judicial and other appropriate remedies and adequate and fair reparation and compensation~~, to address acts of racism, racial discrimination, xenophobia and related intolerance, and to design effective measures to prevent the resurgence of such acts; (ONGOING 3rd PrepCom)

195. States shall make provisions for effective recourse to redress for individuals who have experienced discriminatory treatment on the grounds of their belonging to national or ethnic, religious and linguistic minorities;[15] (ONGOING 3rd PrepCom)

196. Urges States to acknowledge that the centuries-long slave trade, enslavement and other forms of servitude of Africans, people of African descent and indigenous peoples have resulted in substantial and lasting economic, political and cultural damage to these peoples and in the retardation of their institutions and societies, and that justice now requires that to alleviate the inequalities that still persist because of these shameful legacies, substantial national and international efforts be made. On a collective basis, such reparation should be in the form of enhanced policies, programmes and measures to be adopted by the States which benefited materially from these practices in order to rectify, inter alia through affirmative action, the economic, cultural and political damage which has been inflicted on the affected communities and peoples, in full implementation of their right to development;

197. Urges those States whose people, organizations and Governments were involved in and profited materially from slavery, the slave trade, other forms of servitude and colonialism to make a genuine effort to repair some of this damage by financing and implementing the following measures:

(a) The setting up of an international compensation scheme for victims of the slave trade and any other transnational racist policies and acts, aimed at fulfilling the right to

compensation, and of a development reparation fund, financed also by those private sectors which benefited directly or indirectly from transnational racist policies and acts, to provide resources for the development process in countries affected by colonialism;

(b) The improvement of access to international markets of products from countries affected by the phenomena of slavery, servitude and colonization, including the development and implementation of special and differential treatment in respect of the length of the adjustment periods in bilateral and multilateral trade agreements that would establish a more equitable and supportive international trade environment for States that are populated substantially by people of African descent and indigenous peoples;

(c) The creation and implementation of a programme to restore to the country of origin the many invaluable art objects, historical artifacts and documents that have been unjustly removed from Africa and the Americas and from peoples of African descent and indigenous peoples over the centuries, and the provision of financial and technical assistance to equip the relevant States with museums and related facilities that will be required to conserve and store these articles properly;

(d) The creation and implementation of an Education Fund for, inter alia, the provision of an international scholarship programme in which a substantial number of scholarships will be made available to people of African descent and indigenous peoples in a wide range of disciplines at universities and other tertiary-level institutions throughout the developed world and the Americas;

(e) A systematic programme of reform of the structures of the major multilateral organizations in order to accord the States in the Americas that are populated substantially by people of African descent and indigenous peoples a greater and more equitable stake in the decision-making process of those organizations;

198. Strongly urges States which pursued policies or practices based on racial or national superiority, such as colonial or other forms of alien domination or foreign occupation, slavery, the slave trade and ethnic cleansing, to assume their full responsibility therefor and provide prompt, adequate and fair reparation and compensation to those States, communities and individuals who were victims of such policies or practices, regardless of when they were committed;

199. [Urges all States to acknowledge the suffering caused by racial or national superiority such as colonial or other forms of alien domination or foreign occupation and work together against them. Ethnic cleansing in Bosnia and Herzegovina, in Kosovo, in Armenia and in the occupied territories of the Republic of Azerbaijan must never be forgotten;] [16] (ONGOING 3rd PrepCom)

V. STRATEGIES TO ACHIEVE FULL AND EFFECTIVE EQUALITY, INCLUDING INTERNATIONAL COOPERATION AND ENHANCEMENT OF THE UNITED NATIONS AND OTHER INTERNATIONAL MECHANISMS IN COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AND FOLLOW-UP

200. Calls upon States to apply diligently all commitments undertaken by them in the declarations and plans of action of the regional conferences in which they participated, and to formulate national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance in compliance with the objectives set forth therein, and as provided for in other relevant instruments and decisions; and further requests that, in cases where such national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance already exist, States incorporate in them the commitments arising from their regional conferences; (ADOPTED at 3rd PrepCom)

201. Urges States to take measures to alleviate inequalities that still persist because of the shameful legacy of slavery;

202. Urges States that have not yet done so to consider acceding to the Geneva Conventions of 12 August 1949 and their two Additional Protocols of 1977, as well as to other treaties of international humanitarian law, and to enact, with the highest priority, appropriate legislation, taking the measures required to give full effect to their obligations under international humanitarian law, in particular in relation to the rules prohibiting discrimination; (ADOPTED at 3rd PrepCom)

203. Urges States in the region to develop cooperation programmes to promote equal opportunities for the benefit of indigenous peoples, people of African descent, migrants and other victims of racism, and encourages them to propose the creation of multilateral cooperation programmes with the same objective;

204. Invites States to include the subject of the struggle against racism, racial discrimination, xenophobia and related intolerance in the work programmes of the regional integration agencies and of the regional cross-boundary dialogue forums;

205. Urges the international community to take cognizance of the very real difficulties that peoples of different racial and ethnic backgrounds inevitably experience in seeking to live together and to develop genuine harmonious multiracial societies. It also urges them to recognize that the art and technology of developing multiracial and multicultural societies and the positive example of successful multiracial societies such as some of those in the Caribbean region need to be systematically studied, and therefore requests the United Nations to consider establishing an international centre for multiracial and multicultural studies and policy development to undertake this critical work;

206. Urges States to create conditions and to take action for the promotion and protection of the ethnic, cultural, linguistic and religious identity of persons belonging to ~~national~~ minorities ~~where such minorities exist~~. Furthermore it urges them to work in partnership at the national, regional and international levels to develop appropriate policy tools that facilitate the development of legislation, policies and programmes that take into account ethnic, racial, linguistic, religious and cultural diversity;

207. Urges States to take or strengthen measures, including through bilateral or multilateral cooperation, to address root causes, such as poverty, underdevelopment and lack of equal opportunity, some of which may be associated with discriminatory practices, that make persons, especially women and children, vulnerable to trafficking, which may give rise to racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 2nd PrepCom)

208. Encourages States, in cooperation with non-governmental organizations, to undertake campaigns aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

International legal framework

209. [Reminds States ~~of their~~ with obligations under the International Covenant on Economic, Social and Cultural Rights to promote economic, social and cultural rights through international cooperation and development;]

210. Urges States to continue cooperating with the Committee on the Elimination of Racial Discrimination and other human rights treaty monitoring bodies in order to promote, including by means of a constructive and transparent dialogue, the effective implementation of these instruments and proper consideration of the recommendations adopted by these bodies concerning complaints of racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 3rd PrepCom)

211. [The resources of the Committee on the Elimination of Racial Discrimination should be increased to enable it to] to discharge its mandate effectively /~~act effectively in investigating fully any allegations of genocide or direct or public incitement to commit genocide brought to its knowledge by Member States, an international organization or a non-governmental organization, and to enable it to cooperate with early warning and any good offices functions of the United Nations;~~]

212. [Recommends that human rights treaty bodies, in particular the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of States [parties], pay special attention to gender ~~issues~~ equality and gender-based discrimination, particularly the multiple [jeopardy] that ~~occurs~~ may be faced by women when gender, ~~class~~, socio-economic status, race ~~and~~ ethnicity and other barriers intersect. Furthermore, given the increasing feminization of migration, these treaty bodies should pay special attention to this area when examining periodic reports of States parties that are countries of origin and/or destination;]

213. Requests States to participate in an ongoing regional dialogue on problems of migration and calls upon them to negotiate bilateral and regional agreements on migrant workers and to promote contacts with States of other regions to protect the rights of migrants from the Americas;

214. Calls upon States to ensure that adequate resources are provided by the United Nations to support the effective functioning of these mechanisms, and that reports to them are timely, concise and focused;

General international instruments

215. Recommends that the international community elaborate an international instrument of a binding character that preserves and promotes the cultural diversity of States;

216. [Recommends that the United Nations elaborate an international instrument of a binding character defining the rights and obligations of persons belonging to minorities;]

Regional/international cooperation

217. Invites the Inter-Parliamentary Union to contribute to the activities of the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance by encouraging national Parliaments to review progress on the objectives of the World Conference;

218. Urges States to support or otherwise establish regional, comprehensive dialogues on migration that focus not only on law enforcement and border control, but also on the promotion and protection of the human rights of migrants and on the relationship between migration and development. The World Conference calls upon States to involve civil society in these dialogues;

219. Calls upon international organizations having mandates dealing specifically with migration issues to exchange information and coordinate their activities on matters involving discrimination and xenophobia against migrants, with the support of the Office of the United Nations High Commissioner for Human Rights;

220. Expressing its deep concern over the severity of humanitarian sufferings of affected civilian populations, the World Conference requests the relevant international institutions to continue rendering urgent financial and humanitarian assistance to populations expelled from their homes and calls for enabling refugees and internally displaced persons to return to their homes voluntarily, in safety and dignity;

221. [Calls upon all relevant United Nations organs to endeavour to bring the foreign occupation of Jerusalem by Israel, together with all its racist practices, to an end and to ensure the recognition of Jerusalem as a city of reverence and religious sanctity for the three major religions of the world which should serve as a focal point of historical and cultural inspiration, a symbol of civilization and religious dialogue and an epitome of tolerance and equality];

222. [Urges all States to refrain from taking any measure leading to the recognition of Jerusalem as the capital of Israel or of any measures aimed at altering its geographic, demographic and institutional characteristics in violation of the norms of international humanitarian law and relevant repeated United Nations resolutions];

223. [Calls upon the international community to assume its responsibilities to provide international protection for the Palestinian people under occupation against any acts of racism, racial discrimination and denial of fundamental human rights, including the right to life, liberty and self-determination];

224. Encourages States to conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in women and children, in particular girls;

225. [Encourages/urges all States to develop bilateral and cross-border multilateral and regional cooperation to eliminate trafficking in persons and smuggling of migrants];

226. Calls upon States, as appropriate, to promote:

(a) Effective legal and judicial cooperation at the regional and international levels in combating acts of racism, [anti-Semitism] racial discrimination, xenophobia and related intolerance, [as well as anti-Semitism] with a view to addressing the problem where perpetrators of these acts benefit from the fact that offences are treated differently in various States;

(b) Exchanges at the regional and international levels among independent national institutions and as applicable other relevant independent bodies with a mandate that includes [monitoring/following up and assessment of] racism and racial discrimination;

(c) Exchanges at the regional and international levels among educational authorities and others involved in developing curricula incorporating anti-racist and intercultural education;

(d) The building of networks for monitoring and information sharing, including an inventory of foundations, organizations and networks fighting racism; (ONGOING 3rd PrepCom)

227. Urges States to support the activities of regional bodies/centres which combat racism, racial discrimination, xenophobia and related intolerance where they exist in their region, and recommends their establishment in all regions. These bodies/centres may undertake the following activities, amongst others: monitor the situation of racism, racial discrimination, xenophobia and related intolerance and of groups which are victims thereof or vulnerable thereto and minorities; identify trends and issues/problems; disseminate and exchange information and build networks to these ends; highlight examples of good practice; organize awareness raising campaigns; develop proposals/solutions, where possible and appropriate, through joint efforts by/by coordinating with the United Nations, regional organizations and Member States;

[undertake research and training studies, compile statistics, maintain databases and develop qualitative and quantitative indicators to measure regional progress in the struggle against racism];

228. Urges international organizations, within their mandates, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

229. Encourages/invites/urges/requests international financial institutions, including the World Bank, regional financial institutions and banks, development institutions and the operational programmes and agencies of the United Nations, in accordance with their mandates, regular budgets and procedures of their governing bodies:

(a) To assign higher priority and provide more funding to projects in favour of Africans and people of African descent, indigenous peoples, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities, in order to combat manifestations of racism, racial discrimination, xenophobia and related intolerance, and to include such vulnerable groups at every stage of the development and implementation of projects concerning them;

(b) Further to integrate human rights principles and norms into their policies and programmes;

(c) To include in their regular reporting to their boards of governors information on their contributions to promoting the participation of people of African descent, indigenous peoples and other marginalized groups within their organizations, and information on their efforts to facilitate the participation of racial, ethnic, religious, cultural and other minorities in the economic, social, political and cultural life of their countries;

(d) To examine how their policies and practices affect racial, ethnic, linguistic, cultural and religious minorities, and indigenous peoples, and to ensure that these policies and practices contribute to the eradication of racism, racial discrimination, xenophobia and related intolerance;

230. [Recommends:

(a) The establishment of a follow-up ~~mechanism~~ observatory headed by the Chairperson of the World Conference, composed of five eminent persons from the various regions, appointed by the Secretary-General after due consultation with all regions. This mechanism will function in consultation with the High Commissioner for Human Rights, the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on

contemporary forms of racism, racial discrimination, xenophobia and related intolerance. This mechanism would be entrusted with the supervision of the implementation of the Declaration and Programme of Action to be adopted by the World Conference and the submission of an annual report to the United Nations General Assembly;

(b) The establishment of an international ~~mechanism~~ observatory to monitor racially discriminatory attitudes and acts, individual or collective, private or public, including by non-State actors, charged with the following tasks:

(i) The compilation of information about racial acts and their development;

(ii) The creation of a Web site by a coalition of non-governmental organizations working in the field of combating racism, in collaboration with the Office of the High Commissioner for Human Rights, to receive and disseminate such information to the widest possible extent;

(iii) The provision of legal and administrative support and advice to victims of racial acts;

(iv) The preparation of an annual report on its activities to be submitted to the Secretary-General;] (ONGOING 3rd PrepCom)

231. Recommends that high-level international meetings be held successively in each region of the world on the Dialogue among Civilizations;

Office of the High Commissioner for Human Rights

232. To increase the level of awareness about the scourge of racism, racial discrimination, xenophobia and related intolerance, the World Conference calls for the continuation and expansion of the goodwill ambassadors programme initiated by the High Commissioner for Human Rights. It urges that goodwill ambassadors be designated in all countries of the world to spearhead a culture of tolerance, respect and human rights. It also calls for ~~a special campaign~~ to publicize and promote the work of the United Nations treaty bodies, including the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women;

233. The Office of the High Commissioner for Human Rights is invited, in cooperation with the United Nations Educational, Scientific and Cultural Organization, concerned specialized and regional organizations, national institutions and non-governmental organizations active in the field of the promotion and protection of human rights, to undertake periodic consultations and to

encourage research activities aimed at collecting, maintaining and adapting the technical, scientific, educational and information materials produced by all cultures around the world to fight racism;

234. [Invites the United Nations Secretary-General and the High Commissioner for Human Rights to submit to the General Assembly at its forthcoming session an action plan to increase resources and activities of the Committee on the Elimination of Racial Discrimination and for the establishment, within the Office of the High Commissioner for Human Rights, of a unit devoted to the promotion of equality and non-discrimination/of a fourth branch to foster activities to combat racism, racial discrimination, xenophobia and related intolerance and to promote the rights of indigenous people, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities;]

235. Requests the Office of the High Commissioner for Human Rights to pay special attention to violations of the human rights of migrants and to promote international cooperation in combating xenophobia and, to this end, develop programmes which can be applied in countries on the basis of appropriate cooperation agreements;

236. Invites States to assist the Office of the High Commissioner for Human Rights in developing and funding, upon the request of States, specific technical cooperation projects aimed at combating racism, racial discrimination, xenophobia and related intolerance; (ADOPTED at 3rd PrepCom)

237. The World Conference:

(a) [Invites the Commission on Human Rights to include in the mandates of its special procedures a request to report on problems relating to racism, racial discrimination, xenophobia and related intolerance;]

(b) Calls upon States to cooperate with the relevant special procedures of the Commission on Human Rights and other mechanisms of the United Nations in matters pertaining to racism, racial discrimination, xenophobia and related intolerance, in particular with the special rapporteurs, independent experts and special representatives; (ADOPTED at 3rd PrepCom)

238. Recommends that the Commission on Human Rights prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects; (ADOPTED at 3rd PrepCom)

239. [Recommends that the Office of the High Commissioner for Human Rights organize a database ~~that can be consulted via the Internet~~ containing information on ~~the struggle against~~ practical means to address racism, racial discrimination, xenophobia and related intolerance, particularly ~~in relation to~~ international and regional instruments and national legislation and in particular on legal means to combat racism in private relationships; remedies available through international mechanisms to victims of racial discrimination, as well as national remedies; educational and preventive programmes implemented in various countries and regions; opportunities for technical cooperation; and academic studies and specialized documents, and arrange for it to be made as accessible as possible to those in authority and the public at large, through its Web site and by other appropriate means];

240. The United Nations should prepare and publicize a systematic collection of national anti-discrimination legislation, in particular with a view to informing those in authority and the public at large of legal means to combat racial discrimination in private relationships, including any available legal and other remedies;

Decades

241. Urges States to adopt the corresponding decisions within the United Nations for the purpose of changing the pattern of financing the activities of the Third Decade to Combat Racism and Racial Discrimination so that they can be covered under the regular budget of the United Nations;

242. Requests States to include the struggle against racism, racial discrimination, xenophobia and related intolerance among the activities undertaken within the framework of the United Nations Decade for Human Rights Education and to take into account the recommendations of the mid-term evaluation report of the Decade; (ADOPTED at 3rd PrepCom)

243. Recommends that the General Assembly declare a United Nations year or decade against trafficking in persons, especially in women and children;

244. Urges States to promote the implementation of the Declaration and Programme of Action on a Culture of Peace and the objectives of the International Decade for a Culture of Peace and Non-Violence for the Children of the World to begin in 2001;

Indigenous peoples

245. Recommends that the United Nations Secretary- General conduct an evaluation of the results of the International Decade of the World's Indigenous People (1995-2004) and make recommendations concerning how to mark the end of this Decade, including an appropriate follow-up; (ADOPTED at 3rd PrepCom)

246. Requests States to ensure adequate funding for the establishment of an operational framework and a firm basis for the future development of the Permanent Forum on Indigenous Issues within the United Nations system; (ADOPTED at 3rd PrepCom)

247. Urges States to cooperate with the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and requests the Secretary-General and the High Commissioner for Human Rights to ensure that the Special Rapporteur is provided with all the necessary human, technical and financial resources to fulfil his/her responsibilities; (ADOPTED at 3rd PrepCom)

248. Calls upon States to conclude negotiations on and approve as soon as possible the text of the draft declaration on the rights of indigenous peoples, under discussion by the working group of the Commission on Human Rights to elaborate a draft declaration, in accordance with Commission resolution 1995/32; (ADOPTED at 3rd PrepCom)

249. Urges States, [to consider] in the light of the relationship between racism, racial discrimination, xenophobia and related intolerance and poverty, marginality and social exclusion of peoples and individuals at both the national and international levels, to enhance their policies and measures to reduce income and wealth inequalities and to take appropriate steps, individually and through international cooperation [including through the provision of additional resources required], to promote and protect economic, social and cultural rights on a non-discriminatory basis; (ADOPTED at 2nd PrepCom)

250. Urges States and financial and development institutions to mitigate the negative effects of globalization by examining how their policies and practices affect indigenous peoples; by ensuring that their policies and practices contribute to the eradication of racism through the participation of indigenous peoples in development projects in accordance with the principle of informed consent; by democratizing international financial institutions; by developing enforceable codes of conduct for transnational corporations; and by consulting with indigenous peoples on any matter that may affect their physical, spiritual or cultural integrity;

251. Invites financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies:

(a) To assign particular priority to and allocate sufficient funding, within their areas of competence, to the improvement of the status of indigenous peoples, with special attention to the needs of these populations in developing countries, including the preparation of specific programmes with a view to achieving the objectives of the International Decade of the World's Indigenous People;

(b) To carry out special projects, through appropriate channels and in collaboration with indigenous peoples, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between indigenous peoples and experts in these areas; (ADOPTED at 3rd PrepCom)

Civil society

252. Calls upon States to strengthen cooperation and consult regularly with non-governmental organizations and other actors in civil society, harnessing their experience and expertise in developing governmental legislation, policies and other initiatives, as well as involving them more closely in the elaboration and implementation of policies and programmes designed to combat racism and racial discrimination;

253. Urges leaders from the faith community to confront the moral evil of racism, through, inter alia, promotion and sponsoring of new dialogue and partnerships to bring about racial healing and harmony, and invites the faith community to participate in promoting economic and community revitalization and encourages faith leaders to foster greater cooperation and contact between diverse racial groups;

254. Urges States to establish and strengthen effective partnerships with and provide support, as appropriate, to all relevant actors of civil society, including non-governmental organizations working to promote gender equality and advancement of women, particularly women subject to multiple discrimination, to promote an integrated and holistic approach to the elimination of all forms of discrimination against women and girls;

Non-governmental organizations

255. Urges States to ensure that non-governmental organizations are enabled to function freely and openly within their societies and thereby make an effective contribution to the elimination of racism and racial discrimination, xenophobia and related intolerance throughout the world and promote a wider role for grass-roots organizations consisting of citizen volunteers;

256. Calls upon States to explore means to expand the role of non-governmental organizations in society. Non-governmental organizations, consisting of voluntary associations, citizens' groups, places of worship and other community groups, play a vital role in deepening the ties of cooperation among citizens and promoting greater trust across racial and class divides. By promoting wider citizen involvement and more voluntary cooperation, civic associations generate important social capital, including greater social cohesion and racial harmony and more durable democratic values;

The private sector

257. Urges States to draft codes of conduct for transnational and other enterprises to prevent, address and eradicate racism, racial discrimination, xenophobia and related intolerance;

Youth

258. Urges States to encourage the full and active participation of, as well as involve more closely, youth in the elaboration, planning and implementation of activities to fight racism, racial discrimination, xenophobia and related intolerance, and calls upon States, in partnership with non-governmental organizations and other sectors of society, to facilitate both national and international youth dialogue on racism, racial discrimination, xenophobia and related intolerance, through the World Youth Forum of the United Nations system and through the use of new technologies, exchanges and other means; (ADOPTED at 3rd PrepCom)

259. Recognizes that the success of this Programme of Action will require political will and adequate funding at the national, regional and international levels, and international cooperation, [including, in some circumstances, new and additional resources,] [particularly for developing countries;] [and urges that the follow-up mechanism for the World Conference monitor those elements;] (ADOPTED at 3rd PrepCom)

Notes

[1] Missing paragraph transferred from document A/CONF.189/PC.3/8/Corr.1 to the present document at the direction of the Chairperson of the working group on the draft programme of action.

[2] Paragraph proposed by Belgium on behalf of the European Union, and incorporated into the present document at the direction of the Chairperson of the working group on the draft programme of action.

[3] Paragraph adopted by and transferred from the working group on the draft declaration and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

[4] This paragraph is to be considered in the context of the ongoing consultations on the list of violations and the request for a legal opinion.

[5] The text of this paragraph will be re-examined after consultations on the issue of the "listing" are concluded.

[6] The following approved language, which is part of former new paragraph 45 proposed in the working group on the draft programme of action is to be considered with this paragraph and the one that follows: "States shall provide or strengthen training for law enforcement, immigration and other relevant officials who deal with victims of trafficking in this regard."

[7] The following approved language, which is part of former new paragraph 45 proposed in the working group on the draft programme of action is to be considered with this paragraph and the preceding paragraph: "States shall provide or strengthen training for law enforcement, immigration and other relevant officials who deal with victims of trafficking in this regard."

[8] Missing paragraph transferred from document A/CONF.189/PC.3/8/Corr.1 and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

[9] Paragraph proposed by Bosnia and Herzegovina, and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

[10] Paragraph proposed by Brazil and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

[11] This text is part of old paragraph 109. The working group on the draft programme of action decided to move this remaining part of the text to the section on "data collection".

[12] This remaining sentence of the paragraph was not adopted. The working group on the draft programme of action decided that it would be considered elsewhere.

[13] Missing paragraph transferred from document A/CONF.189/PC.3/8/Corr.1 into the present document at the direction of the Chairperson of the working group on the draft programme of action.

[14] The working group on the draft programme of action noted that this paragraph was very similar to paragraph 16, as adopted.

[15] Paragraph proposed by the Russian Federation and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

[16] Paragraph proposed by Azerbaijan and incorporated in the present document at the direction of the Chairperson of the working group on the draft programme of action.

Annex*

3. Education and awareness raising measures

(ONGOING 3rd PrepCom)

Access to education without discrimination

162. Urges States to commit themselves to ensuring *equal* access to education, including *equal* access to free primary education for all children within their territory *and access for adults to lifelong learning and education*, based on respect for human rights, diversity and tolerance, without discrimination of any kind and in accordance with international standards;

[161. Concerning education in general, appeals to all States to fight against any form of separate schooling based on national or ethnic origin, colour, descent, or religion and to ensure equal access to education for all in law and in practice;/ *Appeals to States to ensure equal access to education for all in law and in practice and to refrain from any legal [or any other] measures leading to imposed racial segregation in any form in access to schooling (Switzerland)]*

159. Urges States to adopt and implement laws that prohibit discrimination on the basis of race, colour, descent or national or ethnic origin *[language or religion]* at all levels of education; remove barriers *for all school-age students, including students with disabilities or those who are not proficient in an official language of the State*; and ensure equal access to quality education that maximizes opportunities for employment in today's job markets; establish and implement methods to measure and track improvement in disadvantaged youths' education performance; support efforts to ensure safe school environments free from violence and harassment [*motivated by racism, racial discrimination, xenophobia or related intolerance, including multiple discrimination]*/ on the basis of race, colour, descent or national or ethnic origin *[language or religion]*; and establish financial assistance programmes designed to enable students, regardless of race, colour, descent or ethnic or national origin, to attend institutions of higher education;

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* Revised section on education proposed by Australia and incorporated in the present annex at the direction of the Chairperson of the working group of the draft programme of action. The paragraph numbering in the proposal of Australia corresponds to that in document A/CONF.189/PC.3/8.

Human rights education

247. Requests States to include the struggle against racism, racial discrimination, xenophobia and related intolerance among the activities undertaken within the framework of the United Nations Decade for Human Rights Education and to take into account the recommendations of the mid-term evaluation report of the Decade; (ADOPTED at 3rd PrepCom) 155/157 (sections merged) Encourages all States and relevant international organizations to initiate and develop cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance in order to ensure respect for the dignity and worth of all human beings and enhance mutual understanding amongst all cultures and civilizations. It further urges States to initiate public information campaigns and specific training programmes, where appropriate formulated in local languages, for all sectors of society, in particular children and youth, to combat racism and promote respect for the values of diversity, pluralism, tolerance, mutual respect, cultural sensitivity, integration and inclusiveness; *157/166 (sections merged) Urges States to intensify their efforts in the field of education to promote awareness of the evils of racism, racial discrimination, xenophobia and related intolerance and to develop educational materials, including textbooks, aimed at combating those phenomena, and, in this context, calls upon States to [consider] give priority to textbook and curriculum review and amendment so as to eliminate any elements that might promote racism, racial discrimination, xenophobia and related intolerance or reinforce negative stereotypes, and to include material that refutes such stereotypes.*

166 bis Also urges States to promote an accurate presentation of history in education, highlighting the contributions of individuals, peoples and nations from different cultures and civilizations; (ADOPTED at 3rd PrepCom)

167. Urges States to place greater emphasis on teaching the history of national, racial, linguistic, cultural, religious and ethnic minorities [and of the history of neighbouring countries/*and of global histories*] with the aim of achieving mutual respect and understanding for others' culture, religion or history as well as of their contribution to the whole civil society;

164. *To be considered by the informal group on "the past"* Urges States to adopt and implement all necessary legislative, administrative and other measures to promote correct reflection and perception on the past and contemporary history of colonialism, slavery, racism and racial discrimination, inter alia among their new generations, through faithful education and other appropriate means with a view to preventing the recurrence of such wrongdoings;

154. Urges the United Nations, other appropriate international and regional organizations and States to redress the marginalization of Africa's contribution to world history and civilization by developing and implementing a specific and comprehensive programme of research, education and mass communication to disseminate widely a balanced and objective presentation of Africa's seminal and valuable contribution to humanity; (ADOPTED at 2nd PrepCom)

153. Urges States, *where appropriate working with other relevant bodies,* to commit financial resources to anti-racism education and to media campaigns promoting the values of acceptance, tolerance, diversity and respect for the cultures of all indigenous peoples living within their borders. In particular, States should promote an accurate understanding of the histories and cultures of indigenous peoples; (ADOPTED at 3rd PrepCom)

160. Urges Governments to support and implement public formal and non-formal education programmes designed to promote cultural diversity, self-esteem building and *use of* the mother tongue for persons belonging to [national/ethnic/ / *ethnic, religious or linguistic*] minorities and indigenous peoples;

[162 bis. *Further urges States to ensure that laws and policies regarding the educational rights of persons belonging to minorities conform to applicable international standards (Russian Federation).]*

Human rights education for children and youth

165. *Urges States* to introduce and, as applicable, to reinforce anti-discrimination and anti-racism components in human rights programmes in school curricula, to develop *and improve* relevant educational material, *including history and other textbooks* and to ensure that all teachers are effectively trained and adequately motivated to shape attitudes and behavioural patterns, etc./ of the school curricula and to improve educational materials on human rights and anti-racism, in order to shape attitudes and behavioural patterns based on the principles of non-discrimination, mutual respect and tolerance;

158. *Suggest delete* [Calls upon States to commit themselves to undertaking public information campaigns or other more long-term initiatives, inter alia through the media, to alert their societies to the dangers of racism, racial discrimination, xenophobia, [anti-Semitism], Islamophobia and racist practices of Zionism and related intolerance, and to support initiatives of non-governmental organizations in this respect. Such campaigns or initiatives need to be addressed to the whole of society, in particular young people, including children. The World Conference also calls upon States to undertake and facilitate activities aimed at educating young

people in human rights and democratic citizenship and instilling values of solidarity, respect and appreciation of diversity. A special effort to inform and sensitize young people to respect minorities and democratic values should be undertaken or developed to fight against ideologies based on so-called racial superiority;]

163. Urges States to encourage all schools to consider developing educational activities, including extra-curricular ones to raise awareness against racism, racial discrimination, xenophobia and related intolerance, inter alia, by commemorating the International Day for the Elimination of Racial Discrimination (21 March); (ADOPTED at 3rd PrepComp)

168. *Delete.*

Human rights education for public officials and professionals

171. Urges States to develop *and strengthen* anti-racist and gender-sensitive human rights training for *public officials including* personnel in the administration of justice, law enforcement agencies, security and health-care services, schools and migration authorities;

170. Urges States to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the administration of justice and fair trial and to conduct nationwide campaigns, amongst other measures, to raise awareness among State organs and public officials concerning their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant instruments; (ADOPTED at 2nd PrepCom)

169. Requests States, wherever appropriate through cooperation with international organizations, national institutions, non-governmental organizations and the private sector, to organize and facilitate training courses or seminars about international norms prohibiting racial discrimination and their applicability in domestic law, as well as on the application of *their* international human rights *obligations*, for prosecutors, members of the judiciary and other public officials;

156. Calls upon States to ensure that education and training, especially teacher training, promote respect for human rights *and the fight against racism, racial discrimination, xenophobia and related intolerance and that* educational institutions *implement* policies *and programmes agreed by the relevant authorities* on equal opportunities, *anti-racism*, gender equality, cultural, religious and other diversity, with the participation of teachers, parents, *pupils and students*, and follow-up their implementation. It further urges all educators, including teachers at all *levels of*

education, religious bodies and the print and electronic media to play an effective role in *human rights* education *including as a means to combat* racism, racial discrimination, xenophobia and related intolerance;

172. Urges *States* to strengthen the human rights training and awareness-raising activities designed for immigration officials, border police and staff of migrant detention centres, local authorities and other civil servants in charge of enforcing laws, as well as teachers, with particular attention to the human rights of migrants, in order to prevent *racially motivated actions* and avoid situations where prejudices lead to decisions based on racism, racial discrimination, xenophobia or related intolerance;

173. *Move to trafficking paragraphs.*

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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Durban, 31 August-7 September 2001
Agenda item 9

CONFERENCE THEMES

Draft programme of action

Corrigendum

This document contains one paragraph that had been proposed by Brazil at the working group on the draft programme of action at the third session of the Preparatory Committee which the Chairperson of that working group had directed be entered into the draft Programme of Action. This paragraph was inadvertently omitted from document A/CONF.189/5, which contains the draft Programme of Action that was issued for the World Conference, and is reproduced below.

New 68 *Urges* States and non-governmental organizations to acknowledge that individuals who are victims of racism, racial discrimination, xenophobia and related intolerance in many cases may also face discrimination based on sexual orientation, and calls upon States, in consultation with competent non-governmental organizations, when appropriate, to develop, implement and improve specific policies and programmes to address this form of multiple discrimination effectively.

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WORLD CONFERENCE AGAINST RACISM,
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AND RELATED INTOLERANCE

Durban, 31 August-7 September 2001
Item 8 of the provisional agenda

ORGANIZATION OF WORK

Proposed organization of the list of speakers for the general debate in the plenary of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Information note by the secretariat

1. In accordance with established practice at previous world conferences, the list of speakers for the debate in the plenary of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would be established as outlined below.

Schedule of the plenary meetings of the World Conference

2. Eighteen plenary meetings would be held over the six-day period from 1 to 6 September, with three meetings per day, from 10 a.m. to 1 p.m.; 3 p.m. to 6 p.m.; and 6 p.m. to 9 p.m.

Time limits in the debate in plenary

3. Statements in the debate in plenary should be limited in time as follows:

(a) States Members of the United Nations and of specialized agencies should be limited to seven minutes;

(b) Representatives of organizations and entities having received a standing invitation to participate in the sessions and the work of the General Assembly; associate members of the regional commissions; specialized agencies; other intergovernmental organizations and entities; representatives of interested United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms; Committee on the Elimination of Racial Discrimination; and of national human rights institutions, should be limited to five minutes;

(c) Representatives of non-governmental organizations should be limited to three minutes.

Allocation of two speaking slots at the end of the meetings of Saturday and Sunday, 1 and 2 September 2001

4. The last two speaking slots at the plenary meetings on Saturday and Sunday, 1 and 2 September 2001 might be reserved for participants other than States Members of the United Nations and of the specialized agencies.

Establishment of the list of speakers for the debate in plenary

5. The list of speakers for the debate in plenary would be established on a first-come, first-served basis.

6. The list of speakers would be organized on the basis of 18 plenary meetings and the number of speaking slots at each meeting would be calculated on the basis mentioned above.

7. On Saturday and Sunday, 1 and 2 September, each meeting would have 20 speaking slots for States and members of the specialized agencies and 2 speaking slots for speakers in other categories.

8. In the meetings of Monday to Thursday, 3 to 6 September 2001, the number of speakers would depend on the categories of participants that register to speak at that meeting.

Precedence in speaking order

9. The order of precedence for the list of speakers would be as follows:

(i) Heads of State/Heads of Government;

(ii) Vice-Presidents/Crown Princes or Princesses;

(iii) Deputy Prime Ministers;

(iv) Ministers;

(v) Vice-Ministers;

(vi) Chairmen of delegations;

(vii) Heads of organizations, intergovernmental organizations and entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly;

(viii) Representatives of organizations, intergovernmental organizations and entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly;

(ix) Associate members of regional commissions represented at the highest level;

(x) Representatives of associate members of regional commissions;

(xi) Heads of specialized agencies;

(xii) Representatives of specialized agencies;

(xiii) Heads of other intergovernmental organizations and other entities;

(xiv) Representatives of other intergovernmental organizations and other entities;

(xv) Heads of interested United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms;

(xvi) Representatives of interested United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms;

(xvii) Members of the Committee on the Elimination of Racial Discrimination;

(xviii) Representatives of national human rights institutions;

(xix) Non-governmental organizations represented at the highest level;

(xx) Representatives of non-governmental organizations.

10. As a result of the decision to have a single round table on 31 August, the debate in the plenary will start on 1 September at 10 a.m. The list as prepared by the secretariat will be rearranged accordingly, in consultation with delegations and organizations concerned.

Changes in the level of representation and exchanges of speaking slots

11. Should the level of representation of delegations change after the first list of speakers is issued, the replacement speaker would be assigned the last position in the appropriate category at the same meeting.

12. Exchanges of speaking slots between delegations would be possible; both delegations should inform the secretariat of the World Conference in writing of such an intent. Exchanges would also be possible between speakers in other categories. In the case of equality of rank, a delegation would be assigned the exact position of the other delegation. In the case of inequality of rank, a delegation would be assigned the last position in the appropriate category at the meeting to which it was changing.

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